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HANSARD'S

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Moved, "That, if upon Notice given a Motion be made by a Minister of the Crown that the state of Public Business is urgent, and if on the call of the Speaker 40 Members shall support it by rising in their places, the Speaker shall forthwith put the Question, no Debate, Amendment, or Adjournment being allowed; and if, on the voices being given he shall without doubt perceive that the Noes have it, his decision shall not be challenged, but, if otherwise, a Division may be forthwith taken, and if the Question be resolved in the affirmative by a majority of not less than three to one, the powers of the House for the Regulation of its Business upon the several stages of Bills, and upon Motions and all other matters, shall be and remain with the Speaker, until the Speaker shall declare that the state of Public Business is no longer urgent, or until the House shall so determine upon a Motion, which after Notice given may be made by any Member, put without Amendment, Adjournment, or Debate, and decided by a majority,"—(*Mr. Gladstone*) 88

Amendment proposed,

To leave out the words "a Motion be made by a Minister of the Crown that the state of Public Business is urgent," in order to insert the words "a Minister of the Crown shall declare in his place that any Bill, Motion, or other Question then before the House is urgent, and that it is of importance to the public interest that the same should be proceeded with without delay,"—(*Sir Stafford Northcote*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn*.

Amendment proposed,

In line 2, after the word "urgent," to insert the words "upon which Motion such Minister shall declare in his place that any Bill, Motion, or other Question then before the House is urgent, and that it is of importance to the public interest that the same should be proceeded with without delay,"—(*Secretary Sir William Harcourt*) 120

Question proposed, "That those words be there inserted:"—After debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Healy:*)—After further debate, Question put:—The House *divided;* Ayes 28, Noes 371; Majority 343.—(Div. List, No. 26.)

Question, "That those words be there inserted," put, and *agreed to:*—Words *inserted*.

Amendment proposed, in line 2, to leave out the words "and if on the call of the Speaker 40 Members shall support it by rising in their places,"—(*Sir Stafford Northcote*) 151

Amendment *agreed to:*—Words *left out* accordingly.

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Amendment proposed, in line 8, after the word "one," to insert the words "which majority shall consist of not less than 300 Members,"—(*Sir Stafford Northcote.*)

Question proposed, "That those words be there inserted:"—After short debate, Amendment proposed to the said proposed Amendment, to leave out the words "which majority shall consist," and insert the words "in a House,"—(*Mr. Gladstone,*)—instead thereof.

Question proposed, "That the words 'which majority shall consist' stand part of the said proposed Amendment:"—After further short debate, Question put:—The House *divided;* Ayes 150, Noes 234; Majority 84.—(Div. List, No. 27.)

Words "in a House" inserted in the said proposed Amendment.

Question proposed, "That the words 'in a House of not less than 300 Members' be there inserted:"—Question put, and *agreed to.*

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Amendment *agreed to;* words *inserted* accordingly.

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Moved, "That the state of Public Business is urgent,"—(*Mr. Gladstone:*)—Question put, and *agreed to.*

Resolved, That the state of Public Business is urgent.

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Ordered, That this House will not receive any petition for a Private Bill after *Friday* the 11*th day of March* next, unless such Private Bill shall have been approved by the Chancery Division of the High Court of Justice; nor any Petition for a Private Bill approved by the Chancery Division of the High Court of Justice after *Tuesday* the 10*th day of May* next:
That this House will not receive any report from the Judges upon petitions presented to this House for Private Bills after *Tuesday* the 10*th day of May* next:
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Supreme Court of Judicature Act, 1873—The Order in Council—Offices of the Lord Chief Justice of the Common Pleas and Lord Chief Baron—Motion for an Address—

Moved, "That an humble Address be presented to Her Majesty, praying that so much of the Order in Council, dated the 16th day of December 1880, made in pursuance of section 32 of 'The Judicature Act, 1873,' as relates to the abolition of the offices of Lord Chief Justice of the Common Pleas and Lord Chief Baron of the Exchequer may not come into operation,"—(*Mr. Henry H. Fowler*) 572

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Protection of Person and Property (Ireland) Bill [Bill 79]—
Bill *considered* in Committee [*Progress 16th February*] 1094
After long time spent therein, Committee report Progress; to sit again *To-morrow.*

Parliamentary Elections (Corrupt and Illegal Practices) Bill [Bill 1]—
Moved, "That the Second Reading be deferred to Thursday 3rd March,"—(*Mr. Attorney General*) 1194
After short debate, Motion *agreed to*:—Second Reading *deferred* till *Thursday* 3rd March.

MOTION.

INDIA OFFICE AUDITOR (SUPERANNUATION)—
Committee to consider of authorizing the payment, out of the Revenues of India, of Superannuation Allowances to the Auditor of the Accounts of the Secretary of State for India in Council and his Assistants (Queen's *Recommendation* signified), *To-morrow,*—(*The Marquess of Hartington.*)
Questions, Mr. Finigan, Mr. H. Fowler, Mr. Arthur O'Connor; Answers, Mr. Speaker 1194

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Solicitors' Remuneration Bill (No. 8)—

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PRIVATE BUSINESS.

Rotherham and Bawtry Railway Bill (*by Order*)—

Moved, "That the Bill be now read a second time,"—(*Sir Charles Forster*) 1220

After short debate, Question put, and *agreed to:*—Bill read a second time, and *committed.*

QUESTIONS.

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ORDER OF THE DAY.

Protection of Person and Property (Ireland) Bill [Bill 79]—

Bill *considered* in Committee [*Progress 17th February*] 1238

After long time spent therein, Committee report Progress; to sit again upon *Monday* next.

MOTION.

Poor Removal (Ireland) Bill—

Motion for Leave (*Sir Hervey Bruce*) 1343

After short debate, Bill to regulate the Removal of Poor Persons, *ordered* (*Sir Hervey Bruce, Mr. Corry, Mr. Lewis*); *presented*, and read the first time [Bill 89.]

PARLIAMENT—BUSINESS OF THE HOUSE (URGENCY)—

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PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL—COMMITTEE—Notice of Motion, The Marquess of Hartington; Questions, Mr. Monk, Mr. Callan; Answers, Mr. Speaker 1344

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SOUTH AFRICA—THE TRANSVAAL—PROCLAMATION OF THE DUTCH TRIUMVIRATE—Question, Earl Cadogan; Answer, The Earl of Kimberley .. 1345

Moved, That there be laid before this House, Papers on the subject of a proclamation recently published by the Dutch Triumvirate in the Transvaal purporting to give an historical retrospect of events connected with the annexation of the Transvaal and previous thereto, and justifying the rising of the Boers against Her Majesty's authority,—(*The Lord Brabourne.*)

After debate, Motion (by leave of the House) *withdrawn*.

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QUESTIONS.

STATE OF IRELAND—THE BANTRY LAND LEAGUE—Question, Mr. Healy; Answer, The Solicitor General for Ireland 1373

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RAILWAYS (INDIA)—RAILWAY TO CANDAHAR—Question, Sir Henry Tyler; Answer, The Marquess of Hartington 1386

CHANNEL ISLANDS—BURIALS ACT, 1880, IN GUERNSEY—Question, Mr. Richard; Answer, Sir William Harcourt 1386

NAVY—NAVIGATING OFFICERS—Question, Mr. Gorst; Answer, Mr. Trevelyan 1387

THE NAVAL BRIGADE—THE ZULU WAR MEDAL—Question, Mr. Herbert Maxwell; Answer, Mr. Trevelyan 1387

INDIA—THE VERNACULAR PRESS ACT—Question, Sir David Wedderburn; Answer, The Marquess of Hartington 1388

ARMY—QUARTERMASTERS—Question, Colonel Alexander; Answer, Mr. Childers 1388

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PARLIAMENT—BUSINESS OF THE HOUSE (URGENCY)—THE NEW RULES—Questions, Mr. W. M. Torrens, Mr. Tottenham, Mr. T. D. Sullivan, Sir Stafford Northcote; Answers, Mr. Gladstone, Mr. Speaker; Question, Mr. T. P. O'Connor [No reply] 1389

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MOTION.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL—VOTE OF URGENCY—RESOLUTION—

Moved, "That, in Committee upon the Protection of Person and Property (Ireland) Bill, this day, at 12 o'clock, the remaining Clauses of the Bill, and any Amendments and New Clauses then standing upon the Notice Paper, be put forthwith,"—(*Mr. Gladstone*) 1392

Question put:—The House *divided;* Ayes 415, Noes 63; Majority 352.—(Div. List, No. 62.)

ORDERS OF THE DAY.

Protection of Person and Property (Ireland) Bill [Bill 79]—

Bill *considered* in Committee [*Progress 18th February*] 1392

After long time spent therein, Question put, "That the Chairman do now leave the Chair:"—The Committee *divided;* Ayes 324, Noes 32; Majority 292.—(Div. List, No. 69.)

Moved, "That the Bill, as amended, be taken into Consideration To-morrow,"—(*Mr. William Edward Forster.*)

Amendment proposed, to leave out the words "To-morrow," and insert the words "Monday next,"—(*Mr. Parnell,*)—instead thereof.

Question proposed, "That the words 'To-morrow' stand part of the Question:"—After short debate, Question put:—The House *divided;* Ayes 287, Noes 33; Majority 254.—(Div. List, No. 70.)

Main Question put, and *agreed to*:—Bill to be considered *To-morrow,* and to be *printed.* [Bill 90.]

Sea Fisheries (Clam and Bait Beds) Bill [Bill 83]—

Order for Committee read 1475

Moved, "That it be an Instruction to the Committee, That they have power to protect beds within territorial waters where herrings are known to spawn,"—(*Mr. Williamson.*)

Amendment proposed, to add the words "and also fishing banks,"—(*Mr. Webster*:)—Question, "That those words be there added," put, and *agreed to.*

Main Question, as amended, put.

Ordered, That it be an Instruction to the Committee, That they have power to protect beds within territorial waters where herrings are known to spawn, and also fishing banks.

Moved, "That Mr. Speaker do now leave the Chair,"—(*Mr. Chamberlain*:)—Motion *agreed to*:—Bill *considered* in Committee.

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Chamberlain*:)—Question put, and *agreed to*:—Committee report Progress; to sit again upon *Thursday.*

India Office (Sale of Superfluous Land) Bill—*Ordered* (*Lord Frederick Cavendish, Marquess of Hartington, Mr. Shaw Lefevre*); *presented*, and read the first time [Bill 91] 1477

Exemption from Distress Bill—*Ordered* (*Sir Henry Holland, Mr. Rodwell, Mr. Joseph Pease, Mr. Cropper*); *presented*, and read the first time [Bill 92] .. 1477

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Army Organization—Lord Airey's Committee—Question, Lord Strathnairn; Answer, Earl Granville 1477

Sunday—Opening of National Museums and Galleries—Resolution—

Moved to resolve, That inasmuch as all opposition to the action of Her Majesty's Government in opening on Sundays the National Museums and Galleries in the suburban districts of London and in Dublin has entirely ceased owing to the good results which have followed such opening, this House is of opinion that the time has now arrived for extending this action to all institutions of a like character, it having been most conclusively shown that large numbers of the people rejoice at every opportunity that is afforded them of spending Sunday intelligently, and with due regard for its preservation as a day of rest and cessation from ordinary work and amusement,"—(*The Earl of Dunraven*) 1478

Amendment *moved*,

To leave out from the words ("inasmuch as") in line one to the end of the motion in order to add the words ("a Select Committee of the House of Commons on Public Institutions having reported on the 27th of March 1860, 'that such Institutions as the British Museum and the National Gallery should be opened on week day evenings to the public between the hours of seven and ten in the evening at least three days in the week,' this House is of opinion that the time has arrived when this recommendation should be carried out,")—(*The Earl of Shaftesbury.*)

After debate, on question, that the words proposed to be left out stand part of the motion? their Lordships *divided;* Contents 34, Not-Contents 41; Majority 7.

Resolved in the *negative.*

List of Contents and Not-Contents 1516

Then it was *moved* to add the following words ("a Select Committee of the House of Commons on Public Institutions having reported on the 27th of March 1860, 'that such Institutions as the British Museum and the National Gallery should be opened on week day evenings to the public between the hours of seven and ten in the evening at least three days in the week,' this House is of opinion that the time has arrived when this recommendation should be carried out.")

Resolved in the *affirmative;* and motion, as amended, *agreed to.*

Rules of the House—Renewal of Motions—Question, Lord Denman; Answer, Earl Granville 1517

COMMONS, TUESDAY, FEBRUARY 22.

QUESTIONS.

The Ordnance Survey—Question, Mr. Pugh; Answer, Mr. Shaw Lefevre 1518

A Monetary Conference—Question, Mr. J. K. Cross; Answer, Sir Charles W. Dilke 1518

Post Office Savings Banks—Question, Mr. Harcourt; Answer, Mr. Fawcett 1518

Post Office—Postal Notes—Question, Sir Andrew Lusk; Answer, Mr. Fawcett 1519

Railway Passengers' Communication—The Cord System—Question, Mr. Armitage; Answer, Mr. Chamberlain 1519

South Africa—Conveyance of Telegrams—Question, Sir Henry Tyler; Answer, Lord Frederick Cavendish 1520

Education Department—Working-Class Lectures—Question, Mr. Firth; Answer, Mr. Mundella 1520

Army—Tipperary Barracks—Question, Mr. A. Moore; Answer, Mr. Childers 1521

State of Ireland—Speech of Mr. Parnell at Clara—Questions, Mr. Finigan, Mr. Morgan Lloyd; Answers, Mr. Speaker, The Attorney General for Ireland 1521

State of Ireland—Evictions—Question, Mr. W. Corbet; Answer, Mr. Gladstone 1522
South Africa—The Basutos (Negotiations)—Question, Mr. Cropper; Answer, Mr. Grant Duff 1523
Navy—Trichinosis—American Pork—Questions, Sir John Hay, Mr. Dixon-Hartland; Answers, Mr. Trevelyan, Mr. Mundella .. 1523
Tunis—The Enfida Case—Questions, Sir H. Drummond Wolff; Answers, Sir Charles W. Dilke 1525
South Africa—The Transvaal (Military Operations)—Re-inforcements—Questions, Sir Henry Tyler; Answers, Mr. Gladstone, Mr. Childers 1526
Navy—Court Martial at Sydney—Case of Mr. C. P. Stamp—Question, Mr. Macdonald; Answer, Mr. Trevelyan 1527
Malta (Taxation)—Question, Mr. Mac Iver; Answer, Mr. Grant Duff .. 1528
Army—Promotion from the Ranks—Question, Sir Joseph Bailey; Answer, Mr. Childers 1528
France—Commercial Negotiations—Question, Mr. Mac Iver; Answer, Sir Charles W. Dilke 1528
Legislative Measures for Ireland—The Arms Bill—The Land Bill—Question, Mr. Callan; Answer, Mr. Gladstone 1529
Tunis—The Enfida Case—Question, Sir H. Drummond Wolff; Answer, Sir Charles W. Dilke 1529
Parliament—Business of the House—Questions, Mr. Mac Iver, Mr. Ritchie; Answers, Mr. Gladstone 1529

ORDERS OF THE DAY.

Protection of Person and Property (Ireland) Bill [Bill 90]—
Bill, as amended, *considered* 1530
After debate, Further Proceeding on Consideration, as amended, *deferred* till *To-morrow.*

Free Libraries Bill [Bill 43]—
Moved, "That the Bill be now read a second time,"—(*Sir John Lubbock*) 1598
Moved, "That the Debate be now adjourned,"—(*Sir Walter B. Barttelot*:)—After short debate, Motion *agreed to*:—Debate *adjourned* till *To-morrow.*

Parliamentary Elections (Expenses) Bill [Bill 36]—
Moved, "That the Order for the Second Reading be read, and discharged,"—(*Mr. Ashton Dilke*) 1603
Motion *agreed to*:—Order *discharged*:—Bill *withdrawn.*
Leave given to present another Bill, instead thereof.

Parliamentary Elections (Expenses and Second Election) Bill—*Presented,* and read the first time [Bill 93] 1604

COMMONS, WEDNESDAY, FEBRUARY 23.

QUESTIONS.

The National Gallery—Hours of Admission—Question, Mr. D. Grant; Answer, Mr. Shaw Lefevre 1604
Agrarian Crimes (Ireland)—The Returns—Questions, Mr. Leahy, Mr. Sexton, Mr. T. P. O'Connor; Answers, Mr. W. E. Forster .. 1605

LAW AND JUSTICE—BILLS OF SALE—LEGISLATION — Question, Mr. Redmond; Answer, The Attorney General 1606
CRIMINAL LAW (IRELAND)—ARRESTS AT THURLES—Question, Mr. T. P. O'Connor; Answer, Mr. W. E. Forster 1607

ORDER OF THE DAY.

Protection of Person and Property (Ireland) Bill [Bill 90]—
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PARLIAMENT—BUSINESS OF THE HOUSE (URGENCY)—Notice of Motion, Mr. Gladstone 1607
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After debate, it being a quarter of an hour before Six of the clock, further Consideration of the Bill, as amended, *deferred* till *To-morrow.*

Vivisection Abolition Bill—*Ordered* (*Sir Eardley Wilmot, Mr. Samuel Morley, Mr. Firth*); *presented,* and read the first time [Bill 94] 1634

LORDS, THURSDAY, FEBRUARY 24.

ARMY ORGANIZATION (LORD AIREY'S COMMITTEE)—MOTION FOR AN ADDRESS—
Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty that she will be graciously pleased to direct that the Report of the Committee on Army Organization over which Lord Airey presided may be presented to the House at an early day,"—(*The Lord Strathnairn*) 1635
After debate, Motion (by leave of the House) *withdrawn.*

Local Taxation Returns (Scotland) Bill [H.L.]—*Presented* (*The Lord Ramsay*); read 1ª (No. 37) 1643

COMMONS, THURSDAY, FEBRUARY 24.

QUESTIONS.

AFGHANISTAN—ALLOWANCES AND PENSIONS—Question, Mr. Pugh; Answer, The Marquess of Hartington 1643
RAILWAY COMPANIES — REPORTS AND RETURNS — Question, General Sir George Balfour; Answer, Mr. Chamberlain 1644
CENTRAL ASIA—CORRESPONDENCE BETWEEN RUSSIA AND THE AMEER OF CABUL—UNAUTHORIZED PUBLICATION—Question, Sir George Campbell; Answer, The Marquess of Hartington 1645
LAW AND JUSTICE—SUPREME COURT OF JUDICATURE ACTS—EXTENSION OF ORDER XIV., RULE 1, TO ACTIONS FOR RECOVERY OF LAND—Question, Mr. B. T. Williams; Answer, The Attorney General 1646
TURKEY IN ASIA—THE RECENT DISTURBANCE AT BEIRUT — Question, Mr. Wills; Answer, Sir Charles W. Dilke 1647
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TUNIS—RUMOURED FRENCH PROTECTORATE—THE ENFIDA CASE—Questions, Sir H. Drummond Wolff, Mr. Montague Guest; Answers, Sir Charles W. Dilke 1648

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NAVY—FISHERIES ON THE EAST COAST—EMPLOYMENT OF A GUN-BOAT—Question, Colonel Barne; Answer, Mr. Trevelyan 1651
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H.M.S. "CHALLENGER"—PUBLICATION OF THE REPORT—Question, Mr. Cobbold; Answer, Lord Frederick Cavendish 1653
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STATE OF IRELAND—ALLEGED OUTRAGE AT BEGGAR'S BUSH BARRACKS—Question, The O'Donoghue; Answer, Mr. W. E. Forster 1655
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STATE OF IRELAND—EVICTIONS, CO. ARMAGH—Question, Mr. W. J. Corbet; Answer, Mr. W. E. Forster.. 1656
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THE RAILWAY COMMISSIONERS—LEGISLATION—Question, Mr. R. Biddulph Martin; Answer, Mr. Chamberlain 1657
PUBLIC HEALTH—MORTALITY AT ASHTON-UNDER-LYNE—Question, Mr. Hugh Mason; Answer, Mr. Hibbert 1658
LAW AND JUSTICE—THE MAGISTRACY—POLICE CASE AT GREENOCK—Question, Mr. Macdonald; Answer, Sir William Harcourt 1658
CRIMINAL LAW—ALLEGED RICK-BURNING AT CHARD—Question, Mr. A. M. Sullivan; Answer, Sir William Harcourt 1659
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MOTION.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL—VOTE OF URGENCY—RESOLUTION—

Moved, "That, upon the Consideration of the Protection of Person and Property (Ireland) Bill, as amended, this day, at 7 o'clock, any Amendments then standing upon the Notice Paper be put forthwith,"—(*The Marquess of Hartington*) 1665

Question put:—The House *divided;* Ayes 371, Noes 53; Majority 318.—(Div. List, No. 84.)

ORDER OF THE DAY.

Protection of Person and Property (Ireland) Bill [Bill 90]—

Order read, for resuming Adjourned Debate on Amendment proposed to the Bill [23rd February], (on Consideration, as amended) .. 1665

After debate, *Moved*, "That the Bill be now read the third time,"—(*Mr. William Edward Forster*) 1675

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Justin M'Carthy.*)

Question proposed, "That the word 'now,' stand part of the Question:"—After long debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Sexton*:)—Motion *agreed to*:—Debate *adjourned* till *To-morrow.*

Peace Preservation (Ireland) Bill—Question, Sir Stafford Northcote; Answer, Lord Frederick Cavendish 1722

LORDS, FRIDAY, FEBRUARY 25.

Army Re-organization (Lord Airey's Committee)—Question, Observations, Viscount Bury; Reply, The Earl of Morley 1723

Supreme Court of Judicature Act, 1873—The Order in Council—Offices of the Lord Chief Justice of the Common Pleas and Lord Chief Baron—Motion for an Address—

Moved, "That an humble Address be presented to Her Majesty that the Order in Council, a copy of which was laid on the Table of the House on 6th January 1881, for reducing the number of Divisions of Her Majesty's High Court of Justice and for abolishing the titles of Lord Chief Justice of the Common Pleas and Lord Chief Baron and reducing their offices to an equality with the offices of the other Judges who are not ex officio Judges of Her Majesty's Court of Appeal, may not come into operation,"—(*The Lord Denman*) 1725

Moved, "That this House do now adjourn to Monday next,"—(*The Lord Chancellor*:)—On question, *resolved* in the *affirmative.*

COMMONS, FRIDAY, FEBRUARY 25.

QUESTIONS.

The Magistracy (Ireland)—The Public Officers in Donegal—Question, Mr. Healy; Answer, Mr. W. E. Forster 1727

Ireland—City of Cork—Management of the Butter Market—Questions, Mr. Healy; Answers, Mr. W. E. Forster 1728

State of Ireland—Clare Castle, Co. Clare—Question, Mr. Finigan; Answer, Mr. Childers 1729

The Constabulary (Ireland)—Armagh Police Station—Question, Mr. De La Poer Beresford; Answer, Mr. W. E. Forster 1729

South Africa—The Transvaal (Negotiations)—Question, Mr. Macfarlane; Answer, Mr. Grant Duff 1730

The Law of Distress (England)—Question, Mr. Blennerhassett; Answer, The Attorney General 1730

Mercantile Marine—Rocket Apparatus—Question, Mr. Birkbeck; Answer, Mr. Chamberlain 1731

Afghanistan—General Kaufmann and the Ameer Shere Ali—Question, Mr. J. Cowen; Answer, The Marquess of Hartington .. 1732

State of Ireland—Prison Regulations (Nenagh)—Questions, Mr. T. P. O'Connor; Answers, Mr. W. E. Forster 1733

High Court of Justice—The Paymaster General in Chancery—Question, Mr. Stuart-Wortley; Answer, The Attorney General .. 1735

Army (Auxiliary Forces)—Militia Adjutants—Question, Mr. Ross; Answer, Mr. Childers 1736

Army—The 20th Hussars—Question, Mr. Leahy; Answer, Mr. W. E. Forster 1736

Post Office (Telegraph Department)—Question, Baron Henry De Worms; Answer, Mr. Fawcett 1737

Burmah—Re-instatement of the Political Agent at Mandalay—Question, Mr. R. N. Fowler; Answer, The Marquess of Hartington .. 1737

Army—The First-Class Army Reserve—Question, Mr. W. Holms; Answer, Mr. Childers 1738

Turkey and Greece—Threatened Hostilities—Questions, Mr. Bourke; Answers, Sir Charles W. Dilke 1738

State of Ireland—Evictions, Co. Longford—Question, Mr. Errington; Answer, Mr. W. E. Forster 1739

South Africa—The Basuto War (Negotiations)—Questions, Mr. Carington, Sir George Campbell; Answers, Mr. Grant Duff; Question, Mr. Ritchie [No reply] 1739

Army (India)—The Commander-in-Chief at Bombay—Question, Mr. A. J. Balfour; Answer, The Marquess of Hartington 1741

Parliament—Business of the House—Ministerial Statement, The Marquess of Hartington:—Short debate thereon 1742

Local Taxation (Scotland)—Question, General Sir George Balfour; Answer, The Lord Advocate 1754

ORDERS OF THE DAY.

Protection of Person and Property (Ireland) Bill [Bill 90]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [24th February]:—Question again proposed, "That the word 'now' stand part of the Question:"—Debate *resumed* 1754

After long debate, Question put:—The House *divided;* Ayes 321, Noes 51; Majority 270.—(Div. List, No. 94.)

Main Question put:—The House *divided;* Ayes 303, Noes 46; Majority 257.—(Div. List, No. 95.)

Moved, "That this Bill do pass:"—After short debate, *Moved,* "That the Question be now put,"—(*The Marquess of Hartington:*)—Question put:—The House *divided;* Ayes 282, Noes 32; Majority 250.—(Div. List, No. 96.)

Question put, "That this Bill do pass:"—The House *divided;* Ayes 281, Noes 36; Majority 245.—(Div. List, No. 97.)

South Africa—The Transvaal (Negotiations)—Question, Sir Michael Hicks-Beach; Answer, The Marquess of Hartington 1833

Blind and Deaf-Mute Children Bill [Bill 85]—

Moved, "That the Bill be now read a second time,"—(*Mr. Woodall*) .. 1833

Motion *agreed to:*—Bill read a second time, and *committed* for *Friday* 25*th March.*

LORDS, MONDAY, FEBRUARY 28.

Rivers Conservancy and Floods Prevention Bill—Question, Earl Spencer; Answer, The Earl of Redesdale 1834

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Protection of Person and Property (Ireland) Bill
Brought from the Commons; read 1ª (No. 40) 1835
Question, The Earl of Redesdale; Answer, Earl Spencer

South Africa—The Transvaal (Military Operations)—Defeat of the British Forces—Observations, Earl Cadogan, Viscount Cranbrook; Reply, The Earl of Kimberley 1835

Bankruptcy Law Amendment Bill (No. 34)—
Moved, "That the Bill be now read 2ª,"—(*The Earl Cairns*) .. 1836
After short debate, Motion *agreed to*:—Bill read 2ª accordingly.

Museum of Practical Geology, Jermyn Street—Question, The Duke of Somerset; Answer, Earl Spencer 1837
Ireland—Periodical Migration of Irish Labourers—Question, Lord Monteagle; Answer, Earl Spencer 1838

Local Taxation Returns (Scotland) Bill (No. 37)—
Moved, "That the Bill be now read 2ª,"—(*The Earl of Dalhousie*) .. 1839
Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow*.

Afghanistan—Address for a Paper—
Moved, "For an Address for a Copy of Government of India Despatch, No. 40, of 9th March, 1877,"—(*The Earl of Lytton*) 1840
After short debate, Motion amended, and *agreed to*.

Landlord and Tenant (Ireland) Act, 1870—The Royal Commission—The Evidence—Question, Lord Oranmore and Browne; Answer, The Earl of Kimberley 1840

COMMONS, MONDAY, FEBRUARY 28.

QUESTIONS.

* * *

Parliament—Public Business (Urgency)—Observation, Mr. Speaker .. 1841
Army—Soldiers' Wives and Families—Question, Mr. O'Shea; Answer, Mr. Childers 1841
Afghanistan—Count Schouvaloff and Lord Beaconsfield—Questions, Mr. Arthur Arnold, Mr. A. J. Balfour; Answers, Sir Charles W. Dilke 1842
Inland Revenue—The Annual Leave—Question, Mr. Arthur O'Connor; Answer, Lord Frederick Cavendish 1843
Medical Acts—Medical Distinctions (Scotland)—Question, Sir Trevor Lawrence; Answer, Mr. Mundella 1843
The Magistracy (Ireland)—Convictions at Baltinglass—Question, Mr. M'Coan; Answer, The Attorney General for Ireland 1844
The Limerick Election—Extra Police Force—Question, Mr. Gabbett; Answer, The Attorney General for Ireland 1845
Navy—Rumoured Reduction of Seamen—Question, Admiral Egerton; Answer, Mr. Trevelyan 1846
The Magistracy (Ireland)—Mr. Parnell—Questions, Mr. R. N. Fowler, Major Nolan; Answers, The Attorney General for Ireland .. 1846
Agricultural Department of the United States—The Reports—Question, Mr. R. H. Paget; Answer, Sir Charles W. Dilke .. 1847
London and South Western Railway—The Station at Guildford—Question, Mr. Onslow; Answer, Mr. Chamberlain 1847
India—The Secret Department of the India Office—Question, Lord George Hamilton; Answer, The Marquess of Hartington .. 1847

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ARMY (THE AUXILIARY FORCES)—THE VOLUNTEER REVIEW AT WINDSOR—Question, Mr. Macliver; Answer, Mr. Childers 1849

TURKEY AND GREECE—THE FRONTIER QUESTION—Questions, Mr. Bourke; Answers, Sir Charles W. Dilke 1850

POST OFFICE—THE MANCHESTER POST OFFICE—Question, Mr. Slagg; Answer, Mr. Fawcett 1850

THE MAGISTRACY (IRELAND)—CONVICTIONS AT DRUMLISH PETTY SESSIONS—Question, Mr. T. P. O'Connor; Answer, The Attorney General for Ireland 1851

IRELAND—INFRINGEMENT OF THE LOTTERY ACT—LOTTERY AT DUBLIN—Question, Mr. Anderson; Answer, The Attorney General for Ireland .. 1851

STATE OF IRELAND—ILLEGAL SEIZURE BY A SHERIFF, CO. ARMAGH—Question, Mr. A. M. Sullivan; Answer, The Attorney General for Ireland .. 1852

CRIMINAL LAW—INCENDIARISM AT CHARD—Question, Mr. A. M. Sullivan; Answer, Sir William Harcourt 1853

STATE OF IRELAND—THE REV. MR. KANE—Question, Mr. A. M. Sullivan; Answer, The Attorney General for Ireland 1853

TREATY OF BERLIN—ARTICLE XI.—THE DANUBIAN FORTRESSES—Question, Mr. Bourke; Answer, Sir Charles W. Dilke 1854

TREATY OF BERLIN—EXECUTION OF THE ARTICLES—Question, Sir H. Drummond Wolff; Answer, Sir Charles W. Dilke 1855

PERU AND CHILI—TERMS OF PEACE—MEDIATION—Question, Mr. Northcote; Answer, Sir Charles W. Dilke 1856

POST OFFICE—THE POSTAL TELEGRAPH SERVICE—FOLKESTONE AND TUNBRIDGE—Question, Mr. Macliver; Answer, Mr. Fawcett .. 1857

EDUCATION DEPARTMENT—READING-BOOKS IN BOARD SCHOOLS—Question, Mr. Rathbone; Answer, Mr. Mundella 1858

IRELAND—CORK BUTTER MARKET—Question, Mr. Healy; Answer, The Attorney General for Ireland 1858

THE IRISH LAND BILL—Question, Mr. Healy; Answer, The Attorney General for Ireland 1860

CENTRAL ASIA—RUSSIA AND THE AMEERS OF CABUL—THE SECRET CORRESPONDENCE—Question, Baron Henry De Worms; Answer, The Marquess of Hartington 1860

CENTRAL ASIA—MERV—Question, Baron Henry De Worms; Answer, Sir Charles W. Dilke 1860

STATE OF IRELAND—PRISONERS IN NENAGH GAOL—Questions, Mr. T. P. O'Connor; Answers, The Attorney General for Ireland 1861

STATE OF IRELAND — EVICTION IN CONNEMARA — Question, Mr. A. M. Sullivan; Answer, The Attorney General for Ireland 1861

PARLIAMENT—PUBLIC BUSINESS—THE STATE OF IRELAND—Question, Sir John Hay; Answer, The Attorney General for Ireland 1862

THE HERRING TRADE (SCOTLAND)—Question, Mr. A. Grant; Answer, Lord Frederick Cavendish 1863

SOUTH AFRICA—THE TRANSVAAL (MILITARY OPERATIONS)—DEFEAT OF THE BRITISH FORCES — Questions, Colonel Stanley, Sir Michael Hicks-Beach; Answers, Mr. Childers 1863

NAVY—THE DETACHED SQUADRON—Question, Mr. W. H. Smith; Answer, Mr. Trevelyan 1864

ARMY—THE QUEEN'S REGULATIONS—PUBLICATIONS BY OFFICERS—Notice of Question, Mr. Tottenham; Answer, Mr. Childers 1864

SOUTH AFRICA—THE TRANSVAAL (NEGOTIATIONS)—Question, Sir Wilfrid Lawson [No reply] 1865

PARLIAMENT—BUSINESS OF THE HOUSE—Ministerial Statement, The Marquess of Hartington:—Short debate thereon 1865

THAMES RIVER BILL—Question, Mr. Coope; Answer, Mr. Chamberlain .. 1874

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ORDER OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

THE MAGISTRACY (IRELAND)—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the refusal of Irish magistrates to accept bail for bailable offences is an abuse of the powers of the magistracy, is most unjust to accused persons, and is calculated to lower the respect for the authority of the Law in Ireland,"—(*Mr. O'Donnell,*)—instead thereof 1874

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 85, Noes 18; Majority 67.—(Div. List, No. 98.)

Main Question again proposed, "That Mr. Speaker do now leave the Chair:"—After debate, Main Question put, and *agreed to.*

SUPPLY—*considered* in Committee:—Committee report Progress; to sit again upon *Wednesday.*

Marriages Registration Bill—*Ordered* (*Mr. Blennerhassett, Mr. Arnold Morley, Mr. Errington*); *presented,* and read the first time [Bill 97] 1912

LORDS, TUESDAY, MARCH 1.

AFGHANISTAN (MILITARY OCCUPATION)—Question, The Marquess of Lansdowne; Answer, Viscount Enfield 1913

ARMY—THE QUEEN'S REGULATIONS—PUBLICATIONS BY OFFICERS—Question, Observations, Lord Dorchester; Reply, The Earl of Morley .. 1913

SOUTH AFRICA—THE TRANSVAAL (MILITARY OPERATIONS)—DEFEAT OF THE BRITISH FORCES—Questions, Earl Cadogan; Answers, The Earl of Kimberley; Observations, The Duke of Cambridge 1914

Protection of Person and Property (Ireland) Bill (No. 40)—

Moved, "That the Bill be now read 2ª,"—(*The Lord President*) .. 1917

After debate, Motion *agreed to:*—Bill read 2ª accordingly; Committee *negatived;* and Bill to be read 3ª *To-morrow.*

COMMONS, TUESDAY, MARCH 1.

QUESTIONS.

PARLIAMENT—ASH WEDNESDAY—THE THEATRES—Question, Mr. Woodall; Answer, Mr. Courtney 1941

PUBLIC HEALTH—TRICHINOSIS—IMPORTATION OF PORK FROM THE UNITED STATES—Question, Mr. Dixon-Hartland; Answer, Mr. Mundella .. 1941

CRIMINAL LAW (SCOTLAND)—CASE OF MISTAKEN IDENTITY—Question, Mr. Macdonald; Answer, The Lord Advocate 1942

EAST COAST FISHERIES—DEPREDATIONS OF FOREIGN SEAMEN—THE REPORT—Question, Mr. Birkbeck; Answer, Mr. Courtney 1943

THE PASSENGER ACTS—SHORT SHIPS—Question, Mr. Edward Clarke; Answer, Mr. Chamberlain 1944

SCIENCE AND ART—INTERNATIONAL EXHIBITION OF ELECTRICAL APPARATUS—Question, Sir Henry Tyler; Answer, Lord Frederick Cavendish .. 1944

NAVY—SEAMEN (TEN YEARS' SERVICE)—Question, Sir John Hay; Answer, Mr. Trevelyan 1945

VACCINATION—Questions, Mr. Hopwood, Mr. Firth; Answers, Mr. Dodson 1946

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AFGHANISTAN—RETENTION OF CANDAHAR—SIR DONALD STEWART—Question, Sir H. Drummond Wolff; Answer, The Marquess of Hartington .. 1947

THE IRISH LAND ACT COMMISSION — THE EVIDENCE — Question, Mr. Sexton; Answer, The Attorney General for Ireland 1948

SOUTH AFRICA—THE TRANSVAAL (NEGOTIATIONS)—Questions, Sir Wilfrid Lawson, Lord Elcho; Answers, Mr. Childers 1949

MEDICAL RELIEF (SCOTLAND)—Question, Captain Maxwell-Heron; Answer, Lord Frederick Cavendish 1949

STATE OF IRELAND—JOHN DEVOY—Questions, Mr. Schreiber, Mr. Healy; Answers, Sir William Harcourt 1950

SOUTH AFRICA—THE BASUTOS (NEGOTIATIONS)—Question, Mr. Carington; Answer, The Marquess of Hartington 1951

MEDICAL REFORM—Question, Mr. Errington; Answer, Mr. Mundella .. 1952

THE IRISH LAND COMMISSION (THE EARL OF BESSBOROUGH'S)—Question, Colonel Taylor; Answer, Mr. Courtney 1952

SOUTH AFRICA—THE TRANSVAAL (MILITARY OPERATIONS)—TELEGRAMS—Question, Sir Henry Tyler; Answer, Mr. Childers 1952

SOUTH AFRICA—THE TRANSVAAL (MILITARY OPERATIONS)—DEFEAT OF THE BRITISH FORCES—Questions, Colonel Stanley, Mr. W. H. Smith, Mr. Elliot, Mr. Arthur O'Connor; Answers, Mr. Childers, Mr. Trevelyan .. 1953

PARLIAMENT—BUSINESS OF THE HOUSE—THE MINISTERIAL STATEMENT——Questions, Observations, Sir Stafford Northcote; Reply, The Marquess of Hartington:—Short debate thereon 1957

Moved, "That the state of Public Business is urgent,"—(*The Marquess of Hartington:*)—Question put:—The House *divided;* Ayes 395, Noes 37; Majority 358.—(Div. List, No. 99.)

MOTION.

Peace Preservation (Ireland) Bill—

Motion for Leave (*Secretary Sir William Harcourt*) 1963

After long debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Sexton:*)—Question put:—The House *divided;* Ayes 21, Noes 202; Majority 181.—(Div. List, No. 100.)

Moved, "That the Question be now put,"—(*The Marquess of Hartington:*)—Question put:—The House *divided;* Ayes 200, Noes 22; Majority 178.—(Div. List, No. 101.)

Original Question put:—The House *divided;* Ayes 196, Noes 26; Majority 170.—(Div. List, No. 102.)

Bill to amend the Law relating to the carrying and possession of Arms, and for the preservation of the Public Peace in Ireland, *ordered* (*Secretary Sir William Harcourt, Mr. Gladstone, Mr. William Edward Forster*); *presented* accordingly.

Moved, "That the Bill be read a first time:"—Question put:—The House *divided;* Ayes 188, Noes 26; Majority 162.—(Div. List, No. 103.)

Bill to be read a second time *To-morrow*, and to be *printed*. [Bill 98.]

ORDER OF THE DAY.

India Office (Sale of Superfluous Land) Bill [Bill 91]—

Moved, "That the Bill be now read a second time,"—(*Lord Frederick Cavendish*) 2021

Moved, "That the Debate be now adjourned,"—(*Mr. Healy:*)—Question put:—The House *divided;* Ayes 9, Noes 78; Majority 69.—(Div. List, No. 104.)

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India Office (Sale of Superfluous Land) Bill—continued.

Original Question again proposed:—*Moved,* "That this House do now adjourn,"—(*Mr. Sexton:*)—After short debate, Question put:—The House *divided;* Ayes 6, Noes 75; Majority 69.—(Div. List, No. 105.)

Original Question put, and *agreed to*:—Bill read a second time, and *committed* for *To-morrow.*

Moved, "That this House do now adjourn,"—(*The Marquess of Hartington:*)—Motion *agreed to.*

LORDS.

SAT FIRST.

Monday, February 21.

The Lord Wigan (Earl of Crawford and Balcarres), after the death of his father.
The Lord Ormathwaite, after the death of his father.

Monday, February 28.

The Lord Wenlock, after the death of his father.

COMMONS.

NEW MEMBERS SWORN.

Wednesday, February 2.

New Ross—John Edward Redmond, esquire.

Thursday, February 17.

Northampton County (Southern Division)—Pickering Phipps, esquire.

NEW WRITS ISSUED.

Tuesday, February 8.

For *Northamptonshire* (Southern Division), *v.* Fairfax William Cartwright, esquire, deceased.

Thursday, February 17.

For *Cumberland County* (Eastern Division), *v.* Sir Richard Courtenay Musgrave, baronet, deceased.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

SECOND SESSION OF THE *TWENTY-SECOND PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 29 APRIL, 1880, IN THE FORTY-THIRD
YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

SECOND VOLUME OF SESSION 1881.

HOUSE OF LORDS,

Tuesday, 1st February, 1881.

METROPOLITAN WATER SUPPLY—THE WATER TRUST—LEGISLATION.

QUESTION. OBSERVATIONS.

THE EARL OF CAMPERDOWN, in rising to ask, Whether, considering the present condition of Public Business, it was not advisable to introduce in the House of Lords the Bill providing for the creation of a Metropolitan Water Trust? said, he did not know whether it was Constitutional for their Lordships to possess, or at all events to betray, any knowledge of the progress of Business in any other place than in that House; but it had been stated in the public journals—and there was some reason to believe the statement—that the progress of Public Business "elsewhere" had been leisurely in the extreme. It had even been stated that Public Business in the other House had not commenced; but their Lordships found themselves in a different position. If it were true that hitherto discussion and not Business had been the rule in the other House, in their Lordships' House the very reverse had been the case, for they had transacted no Business; not because they were unwilling, but because of the dearth of Business with which they could proceed. There were many classes of Bills which were of such a nature that they could not be properly first brought before this House, and he had not been surprised the other night to hear the Government decline to introduce the Irish Coercion Bill and the Irish Land Bill in this House; but there were many measures of such a nature that they could well be introduced here, and the Metropolitan Water Trust Bill, it seemed to him, was one of those. The Home Secretary had given Notice, in "another place," of his intention to bring in a Bill for the creation of a Metropolitan Water Trust, and he was sure that such a measure would be most thankfully received and carefully considered by Parliament. It was a subject which for very many years had been before their Lordships, and which had attracted very great attention among that very important body, the Metropolitan ratepayers; and he would go so far as to say that unless it was introduced into their Lordships' House, it would not pass Parliament this Session, or, at any rate, would not receive that amount of attention which, from the importance of the subject, it deserved. The subject of Metropolitan Water was originally introduced into their Lordships' House, and attention was called to it for several years before even it was considered by the Metropolitan ratepayers. In the present Session, at a time when their Lordships had nothing to do, it certainly seemed that a measure bearing on the question could with advantage be submitted to them; for they were, from their experience of Business, peculiarly well adapted to deal with it, and the Metropolitan ratepayers had every confidence in their judgment. The only argument that could be offered against the course he advocated was that the measure must be a rating measure; but nearly every Bill when resolved into its original elements would be found to be a rating Bill; and only last night the Government introduced a measure into their Lordships' House—the Prevention of Floods Bill—which would rate the whole country. Their Lordships had many critics, it was true, and one class of them made merry over their declaring that they met at 5 and adjourned at 5.15 or 5.30, or, as they were about to do that night, at 5.20. The reason they adjourned thus early was because they had not, up to the present time, invented a practice of making much talk and "much ado about nothing." At the present time, when they had disposed of the one Bill before them, they would find themselves in the happy position of having nothing to do. He did not, for himself, like that position, and felt certain that their Lordships would be glad to have some Business laid before them; therefore, he put the Question which appeared on the Notice Paper.

The Earl of DALHOUSIE: I am sorry to be unable to give a categorical and explicit reply to the Question of my noble Friend. I am unable to do so for the simple reason that the matter is still under the consideration of the Secretary of State, and at the present moment he has arrived at no positive decision in regard to it. My noble Friend has given some excellent reasons why the Bill should be introduced into your Lordships' House; but there are one or two reasons pointing in the other direction, in addition to the one which was mentioned by my noble Friend. As I am unable, however, to give a positive answer, I do not see the necessity of wasting your Lordships' time in adverting to these reasons. I can only say, on the part of Her Majesty's Government, that the most careful attention will be given to the observations of my noble Friend.

House adjourned at half past Five o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Wednesday, 2nd February, 1881.

MINUTES.]—New Member Sworn—John Edward Redmond, esquire, *for* New Ross.

Supply—*considered in Committee*—*Resolution* [January 28] *reported*—£2,500,000, Exchequer Bonds.

QUESTIONS.

INLAND REVENUE—INCOME TAX (IRELAND).

Mr. M'COAN asked Mr. Chancellor of the Exchequer, Whether it be a fact that, the income tax in Ireland being assessed on the old tenement valuation of 1846-8, and not, as in England, on the actual rental, this tax is in Ireland paid on only about two-thirds of the rental derived from land, while in England it is paid on the full rental received; and, whether it is true that the landed interest in Ireland in this way annually escapes payment of income tax on a sum exceeding £4,700,000?

MR. GLADSTONE : It is undoubtedly a fact that the Income Tax in Ireland is assessed upon the valuation commonly known as Griffith's valuation, and that in consequence it is assessed upon a sum which is variable, and usually under the actual rent, differing therein from the Income Tax in England, which is levied absolutely upon the actual rent, and to a certain extent from the Income Tax in Scotland, which, though levied upon the full rent, is subject to reduction in respect of what are commonly called public burdens. It is now 27 years since the Income Tax was imposed on Ireland, and I am the person responsible for this inequality. I was the Chancellor of the Exchequer of the day when the Income Tax was charged upon Ireland; and it was not from any desire to give undue favour to landlords, so far as my recollection goes, that the Irish landlords then obtained the advantage of paying a sum generally under the full rent. It was this. The Income Tax in Ireland was new, and the difficulties of levying it were represented to be insurmountable, and my impression is that the Irish Members, landlords and non-landlords, cordially joined in placing it on Griffith's valuation, and not on the full rent. The hon. Gentleman asks me a Question which would be practically determining the exact sum by which Griffith's valuation falls short of the full rent. I know, or have the means of knowing, Griffith's valuation; but I have no means of knowing the full rent.

MR. A. M. SULLIVAN : I beg to ask the right hon. Gentleman, Whether he will take into consideration a proposal to make the landlords pay the Income Tax on the rents which they exact from their tenants?

MR. GLADSTONE : Upon a Question of that kind, which involves a new financial proposal, I must ask the hon. and learned Member to give Notice.

MR. A. M. SULLIVAN : I shall, Sir.

PARLIAMENT — BUSINESS OF THE HOUSE (URGENCY)—THE PROPOSED RESOLUTIONS.

LORD RANDOLPH CHURCHILL : I wish to ask the Prime Minister a Question, of which I have given him private Notice, Whether it is the intention of the Government to proceed with the Resolutions relating to the alteration of the Rules of the House, of which the Prime Minister gave Notice this morning, on the conduct of debate, without first proposing that the Orders of the Day be postponed in order to bring on such Resolutions; whether such a Motion is not absolutely necessary in view of the recent precedents, notably those of July 27, 1877; January 24, 1878; and February 17, 1879, when the course indicated above was followed; and, whether, if such a Motion for the postponement of the Orders of the Day be made, it is not necessary to rescind the Resolution arrived at by the House on the 26th of January last, giving the Protection of Person and Property (Ireland) Bill and the Arms Bill precedence over all Orders of the Day and Notices of Motion until the House shall otherwise order?

MR. GLADSTONE: Let me, in the first instance, dispose of the first branch of the Question, which is a matter I can answer distinctly from the terms of the Resolution recently arrived at. The Resolution which we arrived at last week was not an absolute Resolution that on all occasions and without Notice the stages of certain Bills should take precedence of the Orders of the Day and Notices of Motion, but that it should be so unless the House should otherwise order. There is, therefore, a distinct reference to a case of this kind; but the main part of the Question is whether, in conformity with the precedents, it is my intention to move the postponement of the Orders in order to bring on the Motion at the commencement of Public Business to-morrow, of which I gave Notice to-day? I have no intention of making any such Motion for the postponement of the Orders. This is a question of procedure, in which my opinion, or the opinion of my Colleagues, is not of any weight compared with that of the authorities of the House. The question of procedure is referred to them, and it is our duty to defer to them. I am advised by those who are competent to inform me—and I remain of the opinion I was when I gave the Notice, as I believed, on high authority—that there is no necessity for moving to postpone the Orders of the Day, and that the proper place for this Motion is at the commencement of the Public Business.

LORD RANDOLPH CHURCHILL: I desire to ask you, Mr. Speaker, for the information of the House, Whether the intention of the Government to proceed in the manner indicated by the Prime Minister with their Resolution is in accordance with the Rules and practice of the House; or whether it is not in direct contradiction to the course which was taken by the right hon. Baronet the Member for North Devon (Sir Stafford Northcote), when he introduced new Rules for the conduct of the debates of the House, and when he on three separate occasions in similar circumstances made a Motion for postponing the Orders of the Day?

Mr. SPEAKER: In the cases cited by the noble Lord, it is true the Orders of the Day were postponed; but if the noble Lord will refer to what was done in 1877, he will find that on that occasion several Resolutions relating to the Business of the House were brought forward by the Chancellor of the Exchequer at half-past 4 o'clock, in pursuance of Notice, in the ordinary way. If the right hon. Baronet the Member for North Devon thought proper to postpone the Orders of the Day he was at liberty to do so. He was not obliged to proceed with the Resolutions in the manner now proposed to be taken unless he thought proper. When Motions are brought forward by Ministers of the Crown relating to the Business of the House it has been the constant and uniform practice, so far as my experience goes, with the exception of the cases cited by the noble Lord, to bring forward such Resolutions before the Orders of the Day and the Notices of Motion set down for that day.

Sir STAFFORD NORTHCOTE: I desire, Sir, to offer a word of personal explanation, with no desire to challenge the decision you have given. But I wish to say that on the occasions referred to I did not take the course of moving that the Orders of the Day be postponed upon my own wish or Motion —far from it—but on being informed that that was the course I was bound to take.

ORDER—PRIVILEGE—PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL—CLOSURE OF THE DEBATE THIS MORNING.

Mr. LABOUCHERE: I wish, respectfully, to ask you a Question, Sir, with regard to an occurrence which took place at an early hour this morning when many of the Members of this House were asleep in their beds. I wish to ask you, Sir, Whether, in bringing the debate upon the Question which was then before the House to a sudden close, you acted under any Standing Order of the House, and, if so, which?

Mr. SPEAKER: I acted upon my own responsibility and from a sense of duty to the House.

Mr. PARNELL: Mr. Speaker; Sir, I believe it is one of the customs of this House that a question of Privilege should be taken notice of immediately upon its occurrence. I venture, therefore, to assume it will be proper for me, in consequence of the reply which you have just vouchsafed to the Question of the hon. Member for Northampton, at once to bring before the attention of the House a Resolution which I propose to submit to the House, which reads as follows:—

> "That the action of Mr. Speaker in refusing to permit further debate on the Motion for leave to introduce the Preservation of Life and Property (Ireland) Bill is a breach of the Privileges of this House."

Mr. SPEAKER: The hon. Member having stated the Resolution he proposes to submit to the House, I have to inform the hon. Member that the Resolution he so proposes relates, not to a question of Privilege, but to a question of Order. If he thinks proper to bring the matter under the notice of the House in the regular way he is entitled to do so by Notice of Motion, but not at the present time and as a question of Privilege.

Mr. PARNELL: Sir, I respectfully submit for your further consideration that there is, at least, one precedent in favour of the course I propose to take.

Mr. SPEAKER: I have ruled that the course the hon. Member proposes to take is out of Order. If he wishes to challenge that ruling he is entitled to do so by Motion.

Mr. PARNELL rose; but, being met by cries of "Order!" resumed his seat.

The O'DONOGHUE: I would venture, respectfully, to ask what opportunity will be afforded my hon. Friend for raising the question? That is an important consideration.

Mr. SPEAKER: That is a matter for the House itself.

MR. A. M. SULLIVAN: Do I understand you, Sir, to rule that my hon. Friend cannot as a matter of Privilege challenge the course which, without precedent, you took this morning? In that case, I rise to move that this House do disagree with Mr. Speaker in that ruling. ["Chair!"]

MR. SPEAKER: In taking that course the hon. Member will be disregarding the authority of the Chair, and I must caution the hon. Member that the course he proposes to take will involve him in the consequences of that proceeding.

MR. A. M. SULLIVAN: Mr. Speaker, I very respectfully ask for your direction upon one point. I suppose that, at all events, you will be ready to give to the House and to Members the assistance of your wisdom, experience, and direction, and that the authority, wisely committed to you, Sir, will be exercised as much in the assistance of Members desirous of acting in Order, as in the silencing of Members accidentally transgressing Order. I therefore ask you, Sir, whether I shall be within precedent and the Rules of the House in moving a Resolution—which I shall not move unless I am—I ask whether it is not a fact that, on the Journals and Records of our House, there stand Motions that the House disagree with a particular ruling of Mr. Speaker on the point of Order? If there be not, there is not among the Members of this House one who will further shrink than I from infringing any legitimate Order of the House, just as there is no one in this House who so totally disregards consequences in the discharge of conscientious duties. I, therefore, with all respect to you personally and to your position, ask you kindly to inform the House and myself, if there be not on the Records of Parliament precedents for the Motion that this House do disagree with Mr. Speaker on any ruling he may have made?

MR. SPEAKER: I can quite understand that there may have been Motions of that kind made in this House, and it may be that the hon. Member can make such a Motion, but not as a matter of Privilege.

MR. A. M. SULLIVAN: I did not rise to make it as a matter of Privilege, but to ask your advice as to the course proper to take.

MR. SPEAKER: If the hon. Member admits that it is not a question of Privilege, his course is quite clear—he is bound to give Notice.

MR. A. M. SULLIVAN: I thank you, Mr. Speaker—and I think your kind answer has helped to extricate us from a difficulty—but you would confer a further favour upon the House if you would inform us whether on any previous occasion Notice was given, and whether it is not a fact that the ruling of the Chair has been challenged on the instant?

MR. SPEAKER: The hon. Member asks me a Question which at the present moment I am not able to answer without searching for precedents.

MR. A. M. SULLIVAN: Then, in order that there may be time to search for precedents, I shall conclude with a Motion.

MR. SPEAKER: I caution the hon. Member, that if he proposes to move the adjournment of the House with the view of calling in question what was done this morning, he will be entirely out of Order.

MR. A. M. SULLIVAN: I am about to move the adjournment of the House, and I trust, Sir, that I shall do so within the strict Rules and Privileges of the House and not beyond them. I shall take care, so far as it may now be possible for a Member to maintain his independence in this House, to keep myself within the ancient Privileges of the House, let who so will narrow them. It has been from time immemorial the custom of this House to accord to hon. Members the privilege of moving the adjournment. As I stated, often ere now, such Motions have been made, even by Prime Ministers, for the purpose of calling attention to the affairs of Greece, to the affairs of Turkey, and to various foreign questions. Moving the adjournment of the House is one of our ancient rights, and has been largely availed of from time immemorial. It is one of our ancient rights and forms, which has been made use of by private and by official Members alike, and I believe I could put my hand upon precedents where Motions for the adjournment of the House have been made by leading Members of this House for the purpose of referring to something that had taken place on the previous day. Whether I shall do so or not will be a matter for my judgment, in view of what you, Mr. Speaker, have said—["Oh!"]—a matter for my judgment, because I hope no Member of the House thinks so meanly of me as to suppose I would shrink from any course which I really believed to be for the public interest and for the protection of the Rules of the House from any fear of any consequences whatsoever. I am proud of having a seat in this House for the sake of the good it may enable me to do for my constituents and for my country, and for the sake of the harm and mischief it may at least enable me to thwart and prevent. I am aware there have been times in the history of this House where Members in a minority have, by moving the adjournment, protected to no inconsiderable extent the privileges of debate, personal freedom, and public liberty. In moving the adjournment of the House on this occasion—and I shall be within the recollection of the House and within the cognizance of the country at large—never did a Member rise to make a Motion of this kind under graver circumstances of peril to the liberties of this House. Encountered as I have been from the very threshold of my remarks by a monition highly calculated—however it might be intended—to embarrass me with all the power of a menace of personal consequences, I declare before this House and before my country that I feel at this moment I am defending liberties that used to be dear to the Commons of England. On the floor of this House once rose, under circumstances not half so provocative as mine, a man who declared that Mr. Speaker was not "a master of that House, nor a master's mate." No such language shall fall from me—not that I should fear to say so—not that I, any more than that English Member, would be afraid, if I honestly believed it necessary, to say what I thought about any Speaker in the Chair, within the limits of fair courtesy and of personal respect—under these fair limits I will say everything a man may dare to say without offence. I think, Sir, there are circumstances which render the adjournment of the House extremely necessary. Whatever was done this morning may have been right or may have been wrong. I wish to make no reflection upon it beyond what is Parliamentary—but it is a most remarkable fact that a league should be established between Her Majesty's Government and their deadly foes. There is a great anxiety to call for the *clôture.* But, say the friends of Her Majesty's Government on the Opposition Bench, "Give us such a *clôture* as may not hurt us. Let it be for a minority, but not a minority as large as we are."

MR. SPEAKER: I wish to point out to the hon. Member that he will not be in Order in discussing the Resolutions of which Notice has been given to-day. He will have the opportunity of discussing them when they are proposed.

MR. A. M. SULLIVAN: I thank you, Mr. Speaker; I did not hear the Resolutions. I understood something was about to be done, or I would not have referred to it. However, a time will come for discussing the merits of the Resolutions. I adjure the House to assent to my Motion for adjournment, and to pause. Much has happened to rouse the temper, if not the anger, of the great majority of the House. All strong majorities are roused to anger by the resistance of minorities to their will. It is only the tendency of human nature that two hundred or three hundred men, fully persuaded that their course is right or necessary, if they find a minority resisting them as stoutly as they assert their own will—I say it is only human nature that they should avail themselves of their strength. Nevertheless, majorities as great and as strong discover in time that their sense of anger has impelled them a little too far. Majorities in this House resisting Motions like the present one have ere now discovered in the end that the minority after all was right. Need I refer to precedents within your memory, when the public opinion of England in one short month came round and sanctioned the desperate resistance which a few offered to the flogging clauses. Over and over again the House, by vast majorities, refused to adjourn. Why, then, was it wise to adjourn? I do not set myself up as more pure, independent, or wise than the average of Members; but this I will say—that when we engage in these combats a spirit is roused within us in the end that we will not be put down, and you—that is, the majorities—lose sight of far-reaching views of consequences and of established precedents. You may be laying the foundation of precedents fatal to the liberties of Englishmen in the years after. It was in that spirit that in 1620 and in 1626 minorities in this House stood up for precedents. I do not want to compare with men so illustrious the humble individual who dares to stand up this day against the will of the majority to plead for liberty—but I appeal to hon. Members, by consenting to the adjournment, to give time to see whether the minority may not be within the full rights and Parliamentary Privileges which their forefathers defended, not merely by votes of this House, but by cutting off the head of a King when he tried to violate them. ["Oh, oh!"] They warned, too, a Member of this House when he was carrying his will too far that they would have his head. We are not now going to menace individuals in that way; but we hope we may be allowed to fight out this great contest fairly—for it has grown to be a great Constitutional issue. It is no longer about a Peace Preservation Bill we are contending; it is for the liberties of this House. ["Hear, hear!"] I know what hon. Gentlemen mean by that cheer; I interpret the feeling to be this—that the liberties of the House mean what the majority of the House think to be its liberties. There have been Speakers in the Chair who, before this, have defended the liberties of the House. ["Order!"] When hon. Members call "Order!" I should like to know whether I am to understand them to mean that I am out of Order in referring to the fact that the liberties of this House have been defended by the occupants of the Chair? Are hon. Members such tyros in politics as never to have heard of Mr. Speaker Lenthall? Are they not aware that when it was sought to have one of its Members taken to the Tower this House defied the King himself? In the present day there has grown up in this House a practice and a habit of expression, which is apart from and in disagreement with its ancient Privileges and practice. ["Hear, hear!"] I am glad of that cheer by anticipation. The practice to which I refer is that, owing to the high personal virtues of the right hon. Gentleman who now occupies the Chair, and because of the unfeigned respect which is entertained for him by Members of the House for his urbanity and kindliness, it has become the custom to treat as an outrage on the Chair any reference to the fact that the ruling of the Speaker might be wrong.

MR. GLADSTONE: With reference to the observations of the hon. Gentleman, commenting on the fallibility of the Chair, I rise to ask you, Sir, whether those observations are not themselves out of Order? ["No!"] I do not rise to ask the opinion upon the point of hon. Gentlemen who cry "No!" I ask the opinion of the Chair. It appears to me the hon. Member was calling in question the recent decision of the Chair, which the hon. Member has already been informed he was not at liberty to call in question at the present Sitting of the House.

MR. A. M. SULLIVAN: You have no right to rule—["Order!"]——

MR. SPEAKER: I have already distinctly ruled that this is a matter of Order and not of Privilege. I have ruled before in the same sense when the hon. Member for Dungarvan (Mr. O'Donnell) proposed a Vote of Censure on the Chair; and when Dr. Kenealy, in the last Parliament, took a similar course, I ruled in the same sense, and I shall continue to rule in the same sense. I must, therefore, ask the hon. Member for Meath to confine himself strictly within the rules of debate, which forbid his calling in question any ruling of the Chair without specific Notice of Motion.

MR. A. M. SULLIVAN: I thank you, Mr. Speaker, and I thank God, that the rulings with regard to proceedings in this House are in your hands, and not in those of the right hon. Gentleman. The House ought, I contend, to adjourn, because every incident which has occurred this day shows that there is need for time for a little deliberation. The highest in position among Members of the House, as well as the humblest, seems to have lost somewhat his equanimity. We all need time to allow our tempers to calm down, so that we may be in a position to consider the grave issues now affecting the country and the House in a befitting mood. I ask for an adjournment for the sake of the Parliamentary institutions of the country, and in order that, after due deliberation, the House may take whatever step may really seem to be wise and necessary. I ask that time should be given in order that the rights of minorities may be duly protected. ["Order!"] One of the greatest provocations to disorder in this House is when observations strictly in Order are challenged by Members of the House, and I hope hon. Gentlemen opposite will not suppose I mean to treat them with disrespect if I decline to notice any interruptions in which they may think fit to indulge, for I feel it incumbent upon me on this occasion to keep rigidly within the limits of Order. The Prime Minister is well aware that a Member, in moving the adjournment of the House, is allowed considerable latitude, and I trust that, occupying the high position which he does, the right hon. Gentleman will not attempt to do that which is fortunately impossible—to overawe the Chair by the intimation of his will. We have had two nights of continuous debate, and which side in the discussion was right and which was wrong I will not attempt to say.

Mr. SPEAKER: The hon. Member must be quite aware that his observations are not in Order, and I must request him to keep to the Question. I understand he means to conclude with a Motion; but he has not addressed himself to the ground on which he bases his Motion, or stated what it is he intends to propose. I am as yet at a loss to understand what is the course he proposes to take.

Mr. A. M. SULLIVAN: I am under the impression that I have frequently intimated that I intend to move the adjournment of the House, and that I am adducing the strongest reasons for taking that course. I am, I think, entitled to have the Motion assented to, for there never has been one brought forward on graver grounds. The Motion for adjournment has frequently been made when the Member who made it did not desire that the House should adjourn at all; but wished for an opportunity to speak about the affairs of Greece or Spain, or some other subject. I plant myself upon the Records of the House; and, knowing that my Motion is meant in good faith, I will point out that Lord Palmerston has more than once spoken 20 or 30 minutes on a similar Motion on foreign affairs, without once alluding to the reasons on which he proposed to ask the House to adjourn. The House has adjourned in order that a handful of Members might enjoy horse-racing. I now ask the House to adjourn for a higher purpose than that of going to Epsom Downs. They could adjourn over Wednesday, and I now ask them to exercise that privilege to-day for necessary rest, and also that time may be allowed for the necessary research for information which may be useful to the House. Mr. Speaker has stated that without investigation he could not undertake to answer a Question which had been put to him. Mr. Speaker did not decide against me; he wisely avoided doing that lest, on the examination of precedents, he should find himself in error. The utterance from the Chair itself constitutes a justification for an adjournment in order that Mr. Speaker may have time to make the investigation necessary to fortify him in his desire to maintain the liberties of the House and of minorities. Never was a Motion for adjournment made on stronger grounds. I appeal to hon. Members to discharge their duty in the eyes of the country. ["Question!"] I have never in this House intentionally occupied a minute of its time for the purpose of hindering Public Business; but I have often spoken in this House, greatly to its displeasure, longer than they thought I ought to have done. This is too serious a matter to be taken up and dropped in a moment. This is not an ordinary Motion for adjournment; but one of an exceptionally grave character, and in making it I incur a grave responsibility. In taking this step, I know what the mind of the House is; but I believe that within a few years there will come forth a justification of my motive to-day, and that it will be believed, under the protection of the liberties of this House, it was within my right in moving, as I now do, that this House do now adjourn.

Mr. SPEAKER: Before calling upon any hon. Member to second the Motion, I wish to remove an impression upon the mind of the hon. Member for Meath that I used language of menace. I used language, not of menace, but of caution.

Mr. GRAY, in seconding the Motion, said, that inasmuch as the course of procedure which had been adopted was one which would destroy many ancient precedents and privileges, at least some deliberation should be shown in adopting it. This was a matter which had come upon most Members of the House by surprise. If the House continued to sit and proceed with the ordinary Business, it would, in fact and essence, be coming to a conclusion upon the subject raised by the Motion for adjournment, and that conclusion would bind their future action, although they had not had any opportunity of making themselves acquainted with what they were doing. Even hon. Members who wished to endorse what had been done might very reasonably support the demand for adjournment. Before hon. Members sacrificed rights and privileges, let them at least know what they were doing, and they did not profess to know at present.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. A. M. Sullivan.*)

MR. GLADSTONE: Sir, the hon. Member for Meath invites us—and I am glad he does—to a discussion of the reasons for adjournment; but he introduced, I must say, into his speech many matters that might have been dispensed with. The reference to the conduct of former Speakers appeared to me to have nothing to do with the question of adjournment. The hon. Gentleman assures us of the rectitude of his motives. No one who has observed his conduct, either here or elsewhere, could for a moment doubt the rectitude of his motives. He assures us of his courage and willingness to face all the consequences of performing what he thinks his duty. Well, I believe, as well as hope, he will have no occasion for the exercise of that; nothing is more unlikely, and I see no prospect of it whatever. But I will put that aside, as he has put it aside himself. Another consideration has been offered by the hon. Member. He has stated that on various occasions Motions of adjournment have been moved, and speeches have been made upon those Motions having no relevancy to the subject of adjournment. I will not contest that allegation; but it is well known that while these Motions for adjournment have never been ruled to be absolutely disorderly, yet that such Motions are stigmatized by the universal opinion of this House as public nuisances. But the hon. Member has not himself abused this license, and I am not obliged to dwell upon it. What arguments has the hon. Gentlemen advanced in favour of adjournment? He professes to believe that twelve months hence the opinion of the public will be that the Motion for adjournment was perfectly right. It is not to be expected that the House can be materially governed in its conduct of to-day by the prophecy of what will be public opinion on the proceeding of to-day twelve months hence. What other reason does he give us? The hon. Member spoke of the temper of the House, and alleged the tendency of a majority to domineer; and he asserts that the minority with which he acts has been suffering under this domineering tendency. But, so far as I know, the history of the last four weeks is that the minority has been master of the proceedings of the House, and the majority, until half-past 9 o'clock this morning—when it did not do anything for itself, but was helped from another quarter—lay helpless and hopeless in the hands of the minority. Whatever may be the temper of the majority of the House, the hon. Member clearly is not in a position to ascertain it. The majority has had no opportunity of doing any act, and has not done any act, by which its temper can be gathered. [MR. PARNELL: Or its will.] It is easy, and it is a fashion growing in that quarter of the House to which I have just referred, to meet, by interruptions of this kind, expressions of opinion not only not Parliamentary but offensive, and by interjections that tend to create a divergence from the matter of debate. It is a great pity, I think, and I doubt if any benefit will arise to those who fall into the habit from its indulgence. I have simply to say, in reference to the observations of the hon. Member for Meath, that there is nothing to prove that the majority is unfit for the performance of its present duty. Throwing over or dispensing with the argument as to the temper of the majority, the hon. Member went on to contend that it was desirable to search for precedents in that matter, and that, in order to do so, the House ought to adjourn until to-morrow, or the day after, or some future day. Well, the argument for adjournment might be strong if it were proposed by a majority of the House, and if the precedents to be searched for related to the immediate Business in hand. But there are no circumstances of that kind to be considered. Because this is a question standing for a future day, and he thinks we are to make search for precedents, in order to be ready for that future day, why should he offer that as a conclusive argument that we should do no Business in the interval? Our plea is, by all means let precedents be searched for on important questions of Order, which should not be debated until the House and the Chair are prepared with information ready for their guidance. But why lose the intermediate time, and not go on with the ordinary Business? Such, I submit, is my view, looking at the argument used by the hon. Member. He spoke at length; but I think I have disposed of his argument with the few sentences I have ventured to put forward.

Mr. J. COWEN said, he did not rise for the purpose of unnecessarily prolonging the discussion; but he wished to state at once—whatever other Members did—that it was his intention to vote for the Resolution of his hon. Friend the Member for Meath (Mr. A. M. Sullivan). He (Mr. Cowen) had not moved a single Amendment, nor had he made one speech during all the prolonged Sittings of the House. Indeed, what was commonly called obstruction was to him extremely repulsive. There were circumstances when hon. Members were compelled to resort to such procedure, and he condemned no one who conceived it to be their duty to do so. But, still, his objection to such displays was very strong. Unless a rigid sense of duty pressed him into it, he never engaged in such physical encounters. He had a reverence for the British Parliament. It was the Temple of history and eloquence, of law and liberty. For 1,000 years it had been the political and legislative sanctuary of a free people, and the cradle of the liberties of the modern world. It was much more worthy of admiration than the Pynx at Athens, or the Forum at Rome. Anything that detracted from its influence or weakened its reputation was to be deplored. He never could take part in any proceedings that brought the authority of the House into disrepute, and he regretted, therefore, sincerely that the Ministry had not seen their way to accept the compromise that the Irish Members had, at the early part of this long discussion, offered to them. But that opportunity having been allowed to pass, and the House having sat continuously for such a number of hours, he thought it was reasonable for them to ask for some respite before they re-commenced a serious debate. Their tempers had been taxed; their strength had been strained; the whole atmosphere of the place had been excited, if not angered; and a few hours of rest would be of physical and mental service to all of them. It was unreasonable to suppose that men whose bodies and minds had been stretched for such a lengthened period could bring their faculties to bear upon an eventful controversy. Without entering into debatable questions, he appealed to his countrymen to remember that the Irish Members were in a very small minority—that they were fighting a battle which was to them one of life and death—and some allowance ought to be made for the very serious and difficult position in which they were placed. ["Oh, oh!" *and* "No, no!"] Hon. Gentlemen who uttered those exclamations surely did not want to drive the Irish people to desperation; and he was perfectly satisfied that, upon further consideration, and when removed from present excitement, they would admit the wisdom of the course he was suggesting. It was never the part of men of good sense, and certainly ought not to be that of professing legislators, to act in a passion. If they proceeded with their work in the temper they were then in, the result could not be satisfactory. A few hours' delay would enable them to come to the task before them with refreshed bodies and cooler heads, and he therefore urged the Government to yield to the demand that had been made to them by the hon. Member for Meath. But, whatever course the Ministers pursued, he, at least, was resolved to support the Motion before the House.

Lord RANDOLPH CHURCHILL supported the Motion for the adjournment of the House. He did so with great reluctance; but he was obliged to confess that he thought the whole character of the situation had been changed by the Notice which had been given by the Prime Minister. The occurrences of the last 24 hours were unprecedented for two centuries of their Parliamentary history. The House, under the influence of those occurrences, was really hardly in a position to settle down to the calm and careful consideration of the measures of the Chief Secretary for Ireland. There was a section of the House which was greatly irritated, there was another considerable section of the House which was greatly fatigued, and for his own part he believed there was a section of the House which was greatly alarmed. It was necessary that they should have some interval to recover from the excitement under which they had naturally been labouring before setting themselves to consider the remarkable proposal which the Prime Minister had announced for to-morrow, and in which the country was deeply concerned. It seemed to him that an adjournment would be highly advantageous, both as regarded the comfort of the House and the despatch of Business.

SIR STAFFORD NORTHCOTE said: I think it necessary to say a very few words with special reference to what has fallen from my noble Friend (Lord Randolph Churchill), in order that we may clearly understand the position in which we are placed. I quite understand the difficulties which have suggested themselves to my noble Friend; but I think the House must bear in mind the governing consideration of the situation. There can be no doubt the Government, in the course they have pursued, have proceeded with the assent and support of the House. Ever since the introduction of the Bill with regard to the Protection of Person and Property in Ireland, the Government have stated, and the House has accepted the statement, that the matter was one of urgency and importance; and on this ground we have given the Government possession of days which ordinarily are given to other Business. On that ground we stood by them in the debate which has taken place over the extraordinary period of three days, in order that they might proceed with this Bill; and it is on that ground we have supported the proceeding which has been adopted with regard to bringing this debate to a close. Looking at the matter as one of a singularly exceptional character, I do not dispute the right of the hon. Member for Meath and others taking the earliest opportunity open to them of discussing the question—the very important question—suggested by your action, Mr. Speaker, this morning. I do not dispute the propriety of that at all; yet I think we are in a position when we should, to a certain extent, stultify ourselves and bring about a false impression abroad if we were to suspend our proceedings with the Bill on which we are engaged. As we cannot discuss other matters to-day, the question is, whether we should make use of the few hours remaining of Wednesday's Sitting for consideration of the second reading. I must say that I think the wise course — though I recognize fully the spirit of the objection—the wise course is to negative the Motion for adjournment, and proceed to the discussion.

MR. SHAW: I do not wish in any way to criticize the action of my hon. Friends opposite, who have now occupied the attention of the House for so many days—they have all arrived at years of discretion, and are capable of judging for themselves. I think, looking at the whole case, the wise thing to do would be not to be frightened by the ugly words the right hon. Gentleman has just used—"stultify ourselves." Let us stultify ourselves, if it is right to stultify ourselves. In the present case it is certain that no practical advantage, but, on the contrary, evil, would result from the discussion being continued, as it no doubt will be, up to the usual hour of adjournment. I wish to impress upon the Government that I do not think they will effect any good purpose by forcing on the second reading of this Bill to-day. It will be with very great reluctance that I shall feel myself forced to vote for the adjournment of the House, because it is not for the credit of the House—it is not ultimately for the good of the Irish people—that we should do anything to turn the minds and feelings of the English people against the interests of Ireland. But I believe, as a matter of common sense and common tactics, the Government would be doing a wise thing in agreeing with the Motion for adjournment.

MR. LABOUCHERE said, he had not joined the hon. Gentlemen opposite in their obstructive tactics, and he had not voted on any Motions for the adjournment of the House; but he confessed that on the present occasion he intended to do so. It seemed to him that the House had before it two courses —either to "stultify" itself, or to "stupefy" itself. Although opposed to the Bill, he was open to conviction, and might possibly be converted by the speech which the Chief Secretary would, no doubt, make. But, owing to recent fatigue, he did not feel himself quite equal to listening with due attention to the observations of the right hon. Gentleman, and he had no doubt other hon. Members were in the same position. He hoped, therefore, the debate would be adjourned—especially as the House was to be asked to-morrow to consider a very remarkable occurrence—an occurrence, he believed, unparalleled since 1642. He did not believe the passing of the Bill would be at all hastened by the prolongation of the Sitting that afternoon.

Mr. GIVAN said, he had sat there during the entire of last night, and he found that when many hon. Gentlemen on this side of the House were exhausted, hon. Members opposite were ready to listen to reason and come to terms which, he thought, would be for the convenience of this House. He could assure hon. Members that what occurred in the House this morning would not be understood in Ireland save as a menace, and a disposition on the part of this House to crush the liberties of the Representatives of the Irish people. He entreated the House to let the Irish people see that, while it was determined to preserve Order, it would not in so doing sacrifice the interests of the Irish people to Party passions.

Mr. A. MOORE said, that those Irish Members who supported the present Government did so because they believed it to be the only Government that could and would settle the Irish Land Question, and they hoped the Government would accede to the Motion of the hon. Member for Meath for the adjournment. They could not avoid feeling that, after the painful scenes they had witnessed, the House was not in a fit condition immediately to proceed with the Business before it. He submitted that a very large number of hon. Members were not in a condition to continue the debate. It must not be forgotten that on this occasion the House was on its trial quite as much as hon. Members opposite were on theirs; and, therefore, he appealed to hon. Members to adopt a manly, English course, and not to exasperate the Irish Representatives by forcing on the second reading of this Bill.

Mr. RITCHIE said, the hon. Members who rose to support the Motion for the adjournment had advanced no arguments which had not been advanced by the hon. Member who made it. It was well known that this Motion was not brought forward on account of any feeling of exhaustion on the part of hon. Members. The suggestion of the hon. Member for Meath, that hon. Members were too exhausted to continue the debate, was clearly an afterthought after he had been ruled out of Order in several ineffectual attempts to introduce all kinds of irrelevant matters; and the hon. Member for Northampton (Mr. Labouchere), who supported the Motion for the adjournment on the ground that hon. Members were exhausted, had inadvertently admitted that he was in bed at 9 o'clock that morning, and, therefore, he could not be very much exhausted. He recommended the hon. Member to listen for a little while longer, or else to go home, and he could then return refreshed to listen to the continuance of the debate on the second reading. The House was not asked to come to a decision on the second reading of the Bill to-day, and surely there was nothing to prevent the Minister in charge of the Bill from laying before that House his reasons for introducing the measure and from describing its provisions.

Mr. DAWSON said, he had pointed out on a previous occasion that the question that was involved by the proceedings which Her Majesty's Government had thought fit to take was one which related to the liberty of speech of hon. Members of that House. He should support the Motion now before the House, for he considered the question one of a most momentous character. [The hon. Member proceeded to cite at length the proceedings in the case of Sir John Eliot, at the commencement of the troubles of the reign of Charles I., as narrated by Hallam in his *Constitutional History*, chap. 8, by which the freedom of speech in Parliament had been successfully vindicated.] Upon that occasion the first decision of the House of Commons had been reversed—he trusted the proceedings of this House upon the present occasion would not be subjected to a similar reversal. Some considerable amount of courage was now required on the part of hon. Members before they dared express their opinions, and he could only hope that he could state his views to the House on this question with safety.

Mr. SPEAKER reminded the hon. Member that any attempt to call in question the proceedings of that House was out of Order.

MR. DAWSON said, he had no desire to call in question any decision of the Speaker—all he desired was to address the House on a great Constitutional question—that of the right of hon. Members to freedom of speech. He earnestly appealed to the House to take warning, by the occurrences to which he had sought to direct its attention, not to pass in a time of passion a Resolution which, in its calmer moments, it would desire to rescind.

MR. ONSLOW said, that, having been witness of the unfortunate scenes which had taken place within the last two days, he wished to record his protest against the remarks of the noble Lord below the Gangway (Lord Randolph Churchill). He looked on this question as entirely out of the range of Party politics; it was a very grave national question. Therefore, he and others near him had put themselves to great inconvenience, and gave the warmest support to Her Majesty's Government in the course they had adopted. Although he was considered a Tory, he believed that, in doing so, they would carry the country with them, and that there was no way out of that difficulty unless there was united action of both the great Parties in that House. It was a frivolous excuse to say they ought to adjourn because hon. Members were exhausted, for he had seen them night after night carrying on the discussion, notwithstanding their exhaustion—as a matter of fact, no Member had ever seen so many Members present at Prayers on a Wednesday as were seen present in the House that Wednesday morning. It might seem ludicrous to say that it was the duty of the Conservatives to support the Government and to cheer the remarks of the right hon. Gentleman the Member for Birmingham (Mr. John Bright). The hon. Member who had just addressed them had talked much about asserting the freedom of discussion; but he (Mr. Onslow) asserted that there had been plenty of freedom of discussion, and that hon. Members below the Gangway had abused that privilege and strained the patience of the House. In conclusion, he put it to the Prime Minister whether, as the House had ruled that precedence should be given to these Bills over all other Business, it would not be necessary temporarily to rescind that decision before the right hon. Gentleman brought forward the Resolution which he intended to move to-morrow respecting the Business of the House? He hoped that all Members on that side of the House would unite in supporting the Government, not alone in the interest of this country but of that of Ireland itself.

MR. A. J. BALFOUR said, he proposed on that occasion to vote with the Government and to follow the lead of the late Chancellor of the Exchequer. He wished, however, to notice a remark of the last speaker, who appeared to think that his noble Friend (Lord Randolph Churchill) was a less strenuous supporter of the Government in regard to the measures proposed to be taken than he was himself. There was no truth in that supposition. His noble Friend, he could state, had hitherto steadily supported the Government on all occasions on that Bill, and intended to do so in the future. If his noble Friend supported an adjournment now, it was because he thought they were hardly in a position to go on with the discussion of the second reading of a Coercion Bill, seeing that that discussion was to be interrupted to-morrow by a debate with respect to the Rules of the House. There could be no doubt that this was an argument of great weight; and though he was prepared to assist the Government in managing the Business of the House in their own way, he could not anticipate that much time would be gained by beginning a debate on a Wednesday which was to be interrupted on the Thursday.

MR. HEALY said, the right hon. Gentleman the Prime Minister had referred to hon. Gentlemen who moved the adjournments on occasions like this as "public nuisances." It might be that he and his hon. Friends near him were "public nuisances;" but, if so, they were "public nuisances" in conjunction with the Chancellor of the Duchy of Lancaster, who, on a former occasion, took the very course they were now taking by moving the adjournment of the House in connection with the question of capital punishment; and he should like to know whether the right hon. Gentleman was, in the opinion of the Prime Minister, a "public nuisance?"

He maintained that it was not a greater offence against Order to interrupt a Cabinet Minister than to interrupt any other Member of the House; and before the Prime Minister attempted to address lectures to that side of the House, he ought to lecture the hon. Gentlemen who were under his own control. ["Question!"] They had gone through a continuous Sitting of 48 hours—he had himself been in the House the whole of those 48 hours, with the exception of five hours for necessary sleep—and, therefore, on the ground of cruelty to animals alone, they were entitled to demand an adjournment.

Mr. MORGAN LLOYD said, that though the last speaker and other hon. Members complained of fatigue, they were quite prepared to go on with the debate on the question of adjournment, and the Mover of the adjournment, and also the hon. Member for Cork City, were ready to discuss the Question of Privilege at any length, notwithstanding their fatigue. The reason given for not proceeding with the debate on the Bill was not the real one. The object of the Motion was to protest against the action of the Speaker, and, indirectly, to raise the Question of Privilege which had been declared out of Order. The hon. and learned Member for Meath (Mr. A. M. Sullivan) had risen to question the ruling of the Speaker, and expressed his intention to go as far in that direction on the present Motion as the Rules of the House would allow. He, therefore, looked upon the Motion as a protest against the action of the Speaker, and, as such, he would resist it.

Mr. MITCHELL HENRY said, there was a reason which had not yet been given for an adjournment, and which he hoped would commend itself to Her Majesty's Ministers—it was that the hon. Gentlemen whose sense of duty had brought the House to this pass might have time to reflect on the consequences of their conduct. For the first time in the history of the House they had insured such a limitation of the rights of minorities, and therefore such an assault on the privileges of the country which they represented, as no future services could possibly atone for. They had chosen as the battle-ground of this fight a totally untenable position, in which nobody could support them who was prepared to admit that in a deliberative Assembly the will of the majority must ultimately prevail. Instead of reserving their exertions for the substance of the Bill—which he disliked as much as they did—they had taken the most serious issue on mere questions for adjournment, and they never spoke to the Amendment of the hon. Member for Dublin (Dr. Lyons), that remedial measures ought to precede coercion. They had entirely misapprehended the spirit of Parliamentary institutions, which he conceived to mean that every Member was free to express his own mind, and that, having done so, the minority should yield to the majority. The hon. Member for Cork City announced that what he asked for was that the debate should be adjourned for a particular length of time. [Mr. Parnell dissented.] The hon. Member was constantly in the habit of denying in that House what every hon. Member could be called as a witness to.

Mr. CALLAN rose to Order. He wished to know whether the hon. Member for Galway was in Order in imputing direct falsehood to the hon. Member for the City of Cork?

Mr. SPEAKER: This interposition is highly illustrative of the value of the Rule which prescribes that no reference shall be made to former debates. The hon. Member for Galway was referring to a past debate, and, therefore, he was not in Order.

Mr. MITCHELL HENRY said, he had not referred to a former debate; he referred to the whole course of events preceding the introduction of the Bill, and did not think that by doing so he was contravening any of the Rules of the House. He had given as a reason for the adjournment, that hon. Members opposite required time to consider the consequences of their conduct, and the way in which they had sacrificed the rights of their country. What had now happened had been prophesied by the late Mr. Butt, who had said that in time obstruction would exhaust the patience of Parliament, and would bring about the introduction of some such Notice as that now on the Paper. As the debate could occupy only three hours more, he appealed to the Government to allow an adjournment, especially as the remainder of the Sitting could easily be spent in dilatory speaking. As for the Notice on the Paper, he should jealously watch all attempts to abridge the liberties of debate; but he could not forget the ill-considered—and, he might add, ill-tempered—action that had rendered the Government proposals necessary. They only impeded the course which he and others wished to adopt in fighting for the real interests and liberties of Ireland.

MR. T. P. O'CONNOR presumed that the hon. Member for Galway was thinking of England when he suggested that patience would be exhausted by obstruction. The patience of the Irish people would never be exhausted by hon. Members who truly represented them. But did the hon. Member truly represent any part of the Irish people? That was a question for the people themselves. He could only say that if the hon. Member would accept the Chiltern Hundreds he would do the same, and the men of Galway should choose which of them they pleased. He would then find out what kind of Members the people of Ireland wanted. The hon. Member knew that he misrepresented the feelings of his constituency. ["Order!" "Question!"]

MR. W. E. FORSTER rose to Order, and asked whether the remarks of the hon. Member had anything to do with the Question of adjournment?

MR. SPEAKER said, that the hon. Member was travelling wide of the Question before the House, which was the Motion for adjournment, and he must call upon him to confine himself to it more closely.

MR. T. P. O'CONNOR said, that if he had travelled wide of the Question, he had done so under considerable temptation; but he could not resist the temptation of answering the hon. Member for Galway County. But why had the Chief Secretary for Ireland sat silent whilst the Member for Galway himself travelled from the Question before the House? The Chief Secretary would not stop remarks out of Order that he was in favour of, although he would attempt to stop remarks he was hostile to. It had been said that the action of the Home Rule Party would curtail the liberties of the Irish people. He had no fear of any such result; but believed, on the other hand, that the verdict of history would be given against those who had taken the high-handed proceedings of that morning. The object of his hon. Friend was to provide safeguards for the liberty of free discussion. ["Order!"]

MR. SPEAKER: I have again to inform the hon. Member that the Motion before the House is simply for the adjournment of the House, and the hon. Member is going very wide of that Question.

MR. T. P. O'CONNOR said, in that case, he would pass to another phase of the question. The hon. Member also made another extraordinary statement—that all the proceedings on those Benches on which he sat had been confined to Motions for adjournment. He did not know whether he was in Order in referring to the debate, even in this cursory form; but he would probably be allowed the same latitude as that accorded to hon. Members on the other side. For his part, in reply to that allegation, he would say that he never proposed or seconded a Motion for adjournment since he had been in that House. ["Oh, oh!"] He stated the fact, and the Records of the House would show whether it was true or not. Even the right hon. Gentleman himself could not wisely support the Motion before the House. ["Oh, oh!"] He would certainly be able to do more justice to whatever Business he might have to bring in if he had an opportunity of recovering that equanimity he had lost in the course of the discussion just passed. It would be greatly to the advantage of the just and temperate conduct and of the curtailment of debates, if, in his remarks in proposing any Business Motion he might bring forward, he would do so in a somewhat better temper and in somewhat better taste than such as he thought fit to indulge in on the last occasion. Nothing was more calculated to cause exasperation and to prolong debates than ill-tempered and indiscreet observations on the part of the responsible Ministers entrusted with the conduct of the Business of that House. If he (Mr. O'Connor) thought that he had any chance of a just or fair hearing from hon. Members in that House, he would be quite willing to proceed with the consideration of the Bill then, as he felt quite able to demolish any case the right hon. Gentleman would bring forward in support of any proposal on the subject. However, a certain proportion of hon. Members were in a state of exhaustion and irritation, and the Business could not be properly conducted under such circumstances; so that it was better on all hands that an adjournment should be granted.

Mr. J. W. PEASE said, he was at a loss to know what argument had been used in favour of adjournment since the Prime Minister answered most effectively the arguments of the hon. and learned Member for Meath (Mr. A. M. Sullivan). History repeated itself in the most extraordinary way. The progress made in Public Business since the meeting of the House reminded him of a letter by Charles I. Charles, writing to the Duke of Buckingham in 1626, said—

> "As to newes, I can say but litell yet, Yrland being the onlie egg we have yet sitten upon, and, having a thike shell, wee have not yet hached it."

It would seem, indeed, that Ireland had a very thick shell. Irish Members did not seem to see that they were standing in the way of the Land Bill. The House had witnessed a curious combination. They had seen the noble Lord the Member for Woodstock (Lord Randolph Churchill) unite with the hon. Member for Cork City, who had also been joined by the hon. Member for Newcastle-on-Tyne. That was a strange combination; and such combinations never lasted—their only effect was to delay Public Business. The duty of the Government was to restore order in Ireland, and until that was done no progress could be made with other legislation.

Mr. O'DONNELL said, the hon. Member who had just spoken had commented on a curious combination presented to the House. What did the hon. Member, Liberal as he was, say to the strange combination of the Liberal and Conservative Parties for the sole purpose of destroying the freedom of the Irish people? It was not merely or principally owing to the exhaustion of the Irish Members that he asked for an adjournment; he asked for it generally in fulfilment of the pledge of the Government, that, at any rate on this proposed stage of the Coercion Bill, the Irish Members would have the fullest opportunity of considering the proposals of the Government. So far as regarded the facts of the case, the Irish Members were in the same disadvantageous position as when the Ministerial proposal was first brought forward. No additional statistics had been placed in their hands. Even those relating to the alleged outrages in November and December, on which the Government rested their entire case, were not yet forthcoming. It was unfair—it was a violation of Ministerial pledges—to proceed with the Coercion Bill without placing in the hands of the Irish Members the means of checking any statement which the Chief Secretary might be instructed by the permanent staff of Dublin Castle to make to the House. If hon. Members filled up the time to a quarter to 6, the right hon. Gentleman's statements, however inflammatory and denouncing the condition of Ireland, would go forth entirely unanswered, the Irish Members being without the opportunity of correcting or controlling the exaggerations of the Chief Secretary. The Government ought not to snap such an unfair advantage. Further, he asked for a reasonable delay in order that facilities might be given for a reference to precedents, which had become necessary by the Speaker's recent ruling, and by the Notice of Resolution which had recently been given. It was necessary that the Government should give full facilities for the discussion of that Motion. Moreover, there were grave doubts whether the first reading had been validly taken. They were determined to test the validity of the important proceedings which had taken place; and, with that grave Constitutional doubt hanging over their proceedings, it was necessary that the Government should proceed with great caution, for if the House should decide that the ruling was invalid, it might become the duty of a great Constitutional authority, when the Bill reached "another place," to inquire whether the Bill had regularly passed through the House.

Mr. W. E. FORSTER said, he had been considering, since his right hon. Friend's speech, what additional reasons might be given for the adjournment; and the hon. Member who had just sat down had certainly given one reason—that time was required in order to question the decision which the Speaker had given. But the ruling from the Chair had already disposed of the argument that the House ought to postpone its Business until the question of what had happened that morning had been disposed of. The hon. Member seemed to think that if they were now to go on with the second reading of the Protection Bill, he (Mr. Forster) might occupy the remainder of the Sitting by making a statement which the Irish Members would have no opportunity of replying to. Now, he might inform the hon. Member that he did not wish to trespass on the attention of the House. He might at once say that he considered it to be desirable for the convenience of the House and of the country that he should have the opportunity of making that explanation which was generally given on the second reading of an important Bill, even after the discussion on the first reading. He thought it desirable that he should explain the provisions of the Bill, and answer some of the objections which had been made to it; but he certainly did not think it would be necessary for him to occupy any great length of time. [Several MEMBERS: The Bill is not printed yet.] If hon. Gentlemen opposite had applied at the office in the Lobby, they would have had no difficulty in procuring copies of the Bill. They were very well acquainted with the provisions of the Bill. If hon. Members would take a short turn into the Lobby, they would find the Bill almost word for word as he had stated on the first reading. Of the arguments used in favour of adjournment there was one on which he would wish good-humouredly to say a word. Hon. Members alleged that he was in such a bad temper that he could not make a statement without saying something that would affront their feelings and violate the courtesies of the House. That reminded him of the old story of the Wolf and the Lamb —the Wolf telling the Lamb what a ferocious individual he was, and that he must fight him and put an end to his existence. Well, he had made no remarks for some time, except in a very brief reply to the hon. Member for Dungarvan (Mr. O'Donnell), and it was rather gratuitous for hon. Members to say he was in such a state of irritation that he could not make a short statement without losing his temper. He did not know whether he was in a good temper or not, but he never felt in a better temper. Neither was the House in an electrical state; it seemed very calm, and capable of giving due consideration to any question that might be brought before it. And as to the signs of exhaustion, he saw none—certainly none in hon. Members opposite. But the chief argument for adjournment was that they had been debating the question so long that they ought not to debate it any longer. That meant that the matter having been under debate since the beginning of the Session, and it being acknowledged and believed by a majority of the House that the Bill was of a very urgent character, and ought to be at once proceeded with, and hon. Members having thought fit to attempt to delay its passage, and succeeded in their attempt so long that it was only that morning the first stage was obtained—all that was an argument for still further delay. If the Government were to assent to such an argument, it would be like acknowledging before the House and the country that they did not consider the Bill urgent. They did consider it urgent; and if they did not, their course that Session would be most unjustifiable. That being the case, he must appeal to the House to allow them to proceed with the Bill without further delay.

MR. PARNELL said, that the attempt of the Chief Secretary to present himself in the new character of a Lamb had not been very successful; for though his speech that day was very lamblike, the Bill for which the right hon. Gentleman claimed urgency was certainly not of a lamblike character, and Irish Members had no desire to intrust themselves and their constituencies to the lamblike tenderness of the right hon. Gentleman. Appeals of the most piteous kind had been made to the Government by that unfortunate part of the Irish Party which followed the Government—the Ulster Members and those who followed them—to consent to the adjournment of the debate. He could not help thinking it was heaping insult on injury on the heads of that small, unhappy, and devoted Party that the Government should not assent to their proposal. But every appeal of the hon. Member for the County of Cork (Mr. Shaw) and his Friends from the North of Ireland had been rejected without the slightest consideration. They had asked that concession should precede coercion, and the reply was that coercion should precede concession. They had asked that, at least, the Government should introduce their Land Bill before taking the second reading of the measure of coercion, and the reply to that had been that the measure for coercion should pass to its second reading before any indication of the lines of the Land Bill would be given to the House. Finally, it asked the Government, in return for all its self-sacrifice, that this debate should be adjourned, and the reply to this request was first by silence on the part of the Government, and afterwards by a decided refusal. It might have been supposed that they had done something to entitle them to some little consideration to their requests. But, no; the hon. Member for Cork County and those other Members from the North of Ireland who had attached themselves to the skirts of the Government found themselves without having obtained one single concession, even the most trivial one of all—the time of the House for a period of four hours. He thought that this should be a warning—this refusal to adjourn — coming, as it did, upon many of their refusals, it should be a warning to those hon. Members who forgot their Election pledges, that although they might attempt to destroy the integrity of the Irish Party, they would get no concessions from the Government. He would ask the Government to consider whether, after all, there was anything to be gained by refusing the very reasonable Motion for the adjournment of the House? They had come to the end of a Sitting which some Members considered exhausting, others did not. They had had a great deal of discussion as to whether the Sitting should be prolonged or not, and a great deal of angry feeling had been excited on both sides. They had had one or two intensely painful scenes, which nobody regretted more than the Irish Members, though he felt they were not in any way attributable to them. They did not desire to excite bad feeling, stir up passion, or utter a word which would lead to recrimination or angry discussion, and he was happy to say that all these long hours of day and night had elapsed, and that no excuse was given by Irish Members for angry feeling. The Government, having at last obtained the first reading of their Bill, might have rested for a few hours, and given Members time to consider the situation and the Bill, which had not even been printed. He ventured to think the course of the Government entirely unprecedented, if not disorderly. In times past, when Members attempted to obtain the second reading of their Bills, the Speaker gave his ruling that to take the second reading before the Bills were printed was entirely irregular, if not disorderly. What was the history connected with the printing and circulation of the Bill? On Saturday morning last they found that a Bill had been issued purporting to be a Bill for the Protection of Life and Property in Ireland; but immediately after its issue a notice was circulated by the Queen's Printers that this Bill had been cancelled, and from the speeches of the Prime Minister and of the Chief Secretary they were led to believe that the course of the debate had changed the mind of the Government in respect to certain important particulars in that Bill, and that the Bill would be altered in those particulars. They, consequently, to that day were left entirely without any guide as to what the nature of the Bill was. They certainly could not take the Bill which was followed by a notice from the Queen's Printers that it had been cancelled as the one which the Government now wished to press to a second reading.

Mr. W. E. FORSTER: The text is exactly the same. What I said on the occasion referred to by the hon. Member was that the Bill issued was almost word for word, if not precisely the same, as what I read out in my opening speech on Monday week. There is no difference in it, only I did not read quite the whole of it.

Mr. PARNELL said, they knew now, then, that the Bill which they were asked to take the second reading of and the Bill issued on Saturday morning and afterwards stated to be cancelled were the same. That was the first intimation they had had of the fact; and was it fair to ask them to proceed with the discussion of a measure which they had not seen, and which only now they knew to be the same as the Bill issued on Saturday morning? It had always been the custom of the House to allow a few days' interval before the second reading of a Bill was taken; and certainly a Bill of this character ought to form no exception to that general and most salutary rule. Therefore it was that they were now asking the House to follow its ancient custom and to adjourn for that purpose. He felt that the House were wasting every hour of the time which they devoted to the consideration of that Coercion Bill, and throwing fresh obstacles in the way of the restoration of law and order in Ireland, so far as it required restoring. The Prime Minister said that Motions for adjournment were "public nuisances." Further, there was another old-established precedent, that Members speaking to a Motion for the adjournment of the House were allowed considerable latitude. He recollected the time when the noble Marquess opposite (the Marquess of Hartington) came down to the House prepared to move its adjournment, not with a *bonâ fide* intention of adjourning, but in order to raise a debate on a matter affecting Lord Lytton's policy. If the noble Marquess had carried out that intention, he would have been one of the "public nuissances" described by the Prime Minister. The Chancellor of the Duchy of Lancaster had himself moved the adjournment of the House when he was dissatisfied with the answer he had received to a Question. He denied that the majority of the House had been at the mercy of the minority. The things which the minority had done within the last few days had the express sanction of the Speaker and the late Chairman of Committees (Mr. Raikes) in the evidence they gave before the Select Committee on Public Business, which sat in 1877, and of which he was himself a Member. That Select Committee went into the question of Obstruction, and it was distinctly laid down by both of the high authorities to whom he had referred that minorities were perfectly entitled to use all the Forms of the House in order to oppose, prevent, and obstruct the passage of particular measures; that that was not an obstruction which was an offence against the common law of Parliament, but that the obstruction which was such an offence was obstruction offered to the general Business of the House—obstruction to a great number of measures. Minorities were justified in using or straining all the Forms of the House against particular measures, and the right of a minority to use all the Forms of the House against the particular measures to which they were opposed was not intended to be assailed by the Rules which had been adopted. He did not say that the House was not perfectly entitled, if it pleased, to adopt new Rules to limit the opposition offered by minorities to a particular measure; but it was not fair to make charges against a minority of obstructing a particular measure as long as they acted in accordance with the Rules of the House as laid down by the highest authorities in that or probably any other country. He and his hon. Friends had always been desirous of acting within the Rules of the House; and if the House desired to pass more stringent Regulations, if it desired to limit minorities in their obstruction to particular measures, then he invited the Government to bring forward Rules and Regulations for the purpose, and subject them to full and fair debate. If, after such debate, their proposals were accepted by the House, he would be willing to observe them; but it was extremely unfair for right hon. Gentlemen to get up and charge the members of the minority with an offence against the common law of Parliament when they were conforming both to the spirit and to the letter of the Rules. Let them limit minorities if they chose, but limit them by rule, and not by one-sided, partial, and unfair attacks against a minority who were desirous of acting according to the Rules on every occasion, but, above all, desirous of protecting the liberties of their constituents and their country. He had been charged by the hon. Member for County Galway (Mr. Mitchell Henry) with having said the other night that the debate ought to have been adjourned at a particular time, and should have been closed the following night; and the hon. Gentleman had also accused him of denying everything that he had said on every occasion. Now, what he had actually said on Monday night was, that probably it would be possible to come to a division on the Motion on Tuesday night. He had merely expressed an opinion which any Member of the House might express, that it would be possible to come to a division on the question on Tuesday night—after one more Sitting—and he still thought it would have been possible to have done so on Tuesday, and to have taken the first reading of the Bill, if the Government had agreed to it; in which case they would now have been engaged in discussing the second reading with calm minds and equable tempers. He regretted that other counsels had prevailed. He regretted the scenes which had occurred in the House last night and that morning. He could conceive that English Members might have been almost exasperated with the Irish Members, thinking that they were indirectly the cause of those scenes. All he could say was that he was exceedingly sorry that some Members of the House should have misbehaved themselves last night; but they were not Irish Members. The Irish Members had always endeavoured to conduct the debates of the House with calmness and with a judicial—[" Question!"]——

Mr. SPEAKER said, that the hon. Gentleman must surely be aware that he was now discussing a former debate.

Mr. PARNELL, in conclusion, trusted that the Government, in response to the appeals which had been made to them from all sides of the House, would, even at the eleventh hour, consent to adjourn that debate in order that they might to-morrow discuss the new Rules of which the Prime Minister had given Notice.

Mr. WARTON said, he had no intention to make a speech like the Irish Members He had not at command the materials which they possessed—he had neither a pile of papers in his hands nor a quart of water. The Irish Members had a motive for wishing to adjourn the House which their native modesty prevented them from stating. They had engagements which were even more interesting than their attendance in the House, because he learnt from *The Times* that to-day a vigorous anti-coercion agitation was to be commenced out-of-doors, and that the campaign was to begin with the holding of eight public meetings in various parts of London. The Gentlemen announced to speak at those meetings included Mr. A. M. Sullivan the Mover of the adjournment, Mr. Biggar——

Mr. SPEAKER said, the hon. Member was wandering wide of the Question.

Mr. WARTON begged to apologize, and would say no more.

Mr. DALY appealed to the common sense and good feeling of the Government to allow the adjournment to take place now. No satisfactory discussion could take place on the second reading of the Bill now that the Sitting was so near its close. He held that the Chief Secretary for Ireland had inflamed public opinion against them, and so prevented the Irish Question from taking the fair place it should in the public estimation He further complained that the manner in which the debate had been managed had precluded the possibility of the utterances of Irish Members going forth to the public, these prolonged Night Sittings giving them no opportunity of being reported. The hon. Member was proceeding to refer to reasons which, to his mind, called for the adjournment of the debate, when——

Mr. SPEAKER said, the hon. Member was going beyond the Question immediately before the House, which was the adjournment of the debate.

Mr. DALY concluded by describing the action of the Government as the precipitate in forcing on the discussion of a law which in politics was unwise and unjust, and which had the destruction of the liberties of the Irish people in view.

Mr. FINIGAN said, he was surprised that the Chief Secretary for Ireland, after making a somewhat peaceable response to the speech of the hon. Member for the City of Cork, should not have assented to his proposition. But he found that the Government was actuated by the same spirit at the end of this debate as it had been in the beginning. He had heard no arguments yet why the House should not adjourn; but he had heard many why it should. It was well known that the Bill had neither been printed nor placed in the hands of Members; then how could they be asked to judge of any Bill they had not seen? Until the Coercion Bill was printed, and until Returns of agrarian crime in Ireland for November and December last were laid upon the Table, the Chief Secretary had, he contended, no right to ask the House to surrender the rights and liberties of a large portion of Her Majesty's subjects.

Sir JOSEPH M'KENNA would not say that a great number of people had anything to fear from this Bill being passed into law; but it was put forward on the part of the Government that it was a Bill for striking terror into a certain class of people. If that were the case, the House would not suffer much if the Bill was allowed to pass through all its stages in something like the period given to Bills of so important a character. Whatever might have been the motives which originated the distribution of the Bill which was not now before the House, but which was cast with the same objects in view as the one now proposed, the fact certainly afforded a sufficient reason to him why he should not be asked now to give his assent to the second reading of this other Bill which had only now been placed in his hands. The present state of the House was suggestive. All the Chiefs of the Opposition were absent—he supposed those right hon. Gentlemen had washed their hands of the whole affair. Few Members of the Government were present—there were only the Chancellor of the Duchy of Lancaster (Mr. John Bright), the Secretary to the Treasury (Lord Richard Grosvenor), the Lord Advocate, and the Solicitor General for Ireland on the Treasury Bench. That, he thought, was an insufficient representation of the Government on an occasion such as the present. He freely admitted that his wish was to talk out the second reading of the Bill; but he was suffering from cold, and was afraid his physical ability would not last up to a quarter to 6. However, he had no doubt some of his hon. Friends would second his endeavours to gain time for consideration. He certainly would not vote to-day on the second reading of the Bill, inasmuch as a proper opportunity had not been allowed for discussion. He admitted that he had not even read the Bill a first time yet; but he had heard that it was to have retrospective action, and, therefore, it cast a very black shadow before it.

DR. CAMERON: I rise to a point of Order. I ask you, Sir, whether it is competent to discuss the Bill under cover of a Motion for adjournment?

MR. SPEAKER: The remarks of the hon. Member, so far as they go in that direction, are quite out of Order.

SIR JOSEPH M'KENNA did not consider he was discussing the Bill in a sense to justify the hon. Member rising to Order. It was impossible to adduce reasons for adjournment without referring, in a general way, to the nature and character of the measure, to show that the second reading should not be hurried through the House. [The hon. Member, having addressed some further remarks to the House, was called to Order by MR. SPEAKER, and sat down.]

THE O'DONOGHUE thought it would be impossible for anyone who went into the Library of the House and perused the records of debates during times of great excitement, and saw the details of encounters between political opponents sitting on the different sides of that House, not to come to the conclusion that there was a tendency now to limit the freedom of discussion growing up in the House. Nothing was more common than for an hon. Member to rise to a point of Order, and when he had obtained audience he had no point of Order to submit; but still he gained his object by interrupting the speaker before the House——

MR. SPEAKER: A discussion of the former debates in this House is clearly out of Order.

THE O'DONOGHUE having continued his address for a few minutes amid continued interruption, concluded by stating his conviction that unanswerable reasons had been declared in favour of the adjournment of the debate, as it was proposed to enter at once upon a discussion vitally affecting the liberty of the people of Ireland.

MR. DILLON said, the Prime Minister had himself stated that he expected on the second reading of the Bill a discussion which would extend over several nights. He, therefore, could not see what object he had in refusing the adjournment of the debate.

MR. LEAMY said, he had obtained a copy of the Coercion Bill from the Bill Office, but found it was dated the 31st January. This, then, was the same Bill they had been informed had been cancelled. Under all the circumstances, he thought the Government would be acting rightly if they consented to the adjournment.

MR. O'SULLIVAN thought that the Government should be satisfied with having got the first reading of the Bill that day, and not to try to force it any further.

MR. ARTHUR O'CONNOR, in supporting the Motion for adjournment, said, the whole situation of the House and the authority of the Chair would be discussed at the next Sitting, and he, for one, felt that the liberty of speech, for which the House had so long struggled, was not as secure as it used to be. When, in the time of Charles I., Sir John Eliot and Sir Dudley Digges were committed to the Tower, the House resolved not to proceed with any Business until their liberties were vindicated. That was the precedent that ought to be followed on the present occasion.

Question put.

The House *divided:*—Ayes 44; Noes 278: Majority 234.—(Div. List, No. 20.)

House adjourned at
Six o'clock.

HOUSE OF LORDS,

Thursday, 3rd February, 1881.

RIVERS CONSERVANCY AND FLOODS PREVENTION BILL.

QUESTIONS.

THE EARL OF CAMPERDOWN asked Her Majesty's Government, Whether it would be convenient to grant a longer time for the consideration of the Rivers Conservancy and Floods Prevention Bill before going into Committee? The measure was a very important one, embracing a great many details, and full opportunity for the preparation of Amendments should be given.

THE DUKE OF SOMERSET asked, If the noble Earl the Lord President of the Council would, in accordance with the suggestion made by several noble Peers on the occasion of the second reading, consent to the reference of the Bill to a Select Committee, not for the consideration of the whole subject, but for looking into the measure now before the House?

EARL SPENCER, in reply, said, that, considering the feeling expressed by the noble Duke (the Duke of Somerset) and supported by other Members of their Lordships' House, though not unanimously, Her Majesty's Government were willing to allow the Bill to be referred to a Select Committee; but he hoped that, as the Select Committee of their Lordships' House which considered the subject in 1877 had examined so many witnesses, it would not be deemed necessary to take any further evidence. There would, probably, he was afraid, be some delay in the Committee getting to work, owing to the fact that the Report of the old Committee would have to be reprinted. He would, however, propose the Reference on Monday.

NAVY—FUND FOR WIDOWS AND ORPHANS OF SEAMEN.

QUESTION. OBSERVATIONS.

VISCOUNT SIDMOUTH, in rising to ask the First Lord of the Admiralty, Whether he will consider the feasibility of applying the sums accruing from Stoppages of Pay and Provisions to the formation of a Fund for the relief of the Widows and Orphans of Officers and Seamen whose lives might have been lost while serving on board any of Her Majesty's Ships lost under exceptional circumstances, such as attended the cases of H.M.S. "Captain," "Eurydice," and "Atalanta," said, that the Return laid on the Table of the House of Commons did not contain all the information he had asked for on a former occasion. It appeared from that Return that the amount saved to the Exchequer last year from stoppages of pay on account of imprisonment, hospital, desertion, leave, and other causes, and the value of provisions saved from similar causes, amounted in the aggregate to £58,151. He wished to put it to the kind consideration of the First Lord of the Admiralty and the House, whether, out of that sum a Fund might not be established for the relief of the widows and orphans of officers and seamen lost in circumstances such as those to which he had referred; but he sought this not so much for the families of officers, as for those of the seamen, the widows of officers being entitled to allowances. He asked whether the sailors of Her Majesty's Navy, who were exposed to so many dangers, should be in a worse position as regarded provision for their families than other men in the Public Service? Dockyard men, when disabled, were entitled to 10 or 12 years' pay, while sailors in the Navy were only entitled to one. It could not be that the seamen deserved it less than the others, for he (Viscount Sidmouth) was sure there was a general feeling of sympathy with them in the country. If their Lordships looked to the number of seamen who had been lost during the last century, he thought they would agree with him that the loss of seamen's lives at sea could scarcely be described as an exceptional occurrence. The country dealt liberally with soldiers, and seamen and marines should not be the only classes in the Public Service excluded from benevolent provision. Public subscriptions in cases such as those to which his Question had reference could not be depended upon. In the case of the *Captain,* £60,000 was subscribed by the public; but in that of the *Eurydice,* the amount only reached £20,000; and in that of the *Atalanta,* it dwindled down to £9,000, of which £3,000 was raised about Plymouth and Portsmouth from persons connected in some way or other with the Navy. He thought the widows and children of our seamen and marines who lost their lives in the discharge of duty ought not to be left to depend on the precarious support of subscriptions. Their distressed circumstances should be met in a better way, and the sums which he had indicated, and which only went to benefit the Exchequer, would form a very proper fund for the relief of the widows of seamen. He, therefore, trusted that his Question would receive a favourable answer.

THE EARL OF NORTHBROOK, in reply, said, he need hardly say that he agreed with the noble Viscount (Viscount Sidmouth) in the sentiments he had expressed towards the Navy. He was afraid, however, that a Return laid upon the Table of the other House had given rise to an incorrect impression—namely, that a sum of £58,151 was every year paid into the Exchequer in respect of stoppages from sailors in the Navy. As a matter of fact only a very small proportion of that sum—£6,897—represented the actual saving in the sense of being paid into the Exchequer. The amount was made up of various items. The amount shown in the first item of the Return—that was, £18,209—was due mainly to pay suspended when men were in prison. Those men were practically out of the Service, being discharged from ships' books while undergoing imprisonment; and as they were not included in the numbers on which Vote 1 was framed, no provision for their pay was included in the Navy Estimates. This was a cessation of pay corresponding with a cessation of work, rather than a mere stoppage, and the amount could not be regarded as in any case the property of the men. As to the second item, £5,470, when men were in hospital beyond a certain period a deduction of 10*d.* a-day was made from their pay; but that went towards the cost of their maintenance in hospital. As to the third item, £1,256, the amount due to deserters and the value of their effects left behind them, that was a *bonâ fide* receipt, which went into the Exchequer; but a sum equal to that, if not larger, was charged to the Navy Votes in respect of debts irrecoverable on account of the desertion of the men who owed them. The fourth item was £26,319, the value of provisions saved when men were on leave; but, as regarded that, it was to be borne in mind that the circumstance of such a saving was taken into account in framing the Estimate for Vote 2, and that if the amount of it was to be appropriated to any purpose, it would have to be specially provided for in the Estimates which would have to be increased accordingly. The fifth item, £6,897, made up of deductions of pay for leave-breaking, &c., was paid into the Exchequer. Marines on shore were subject to fines for drunkenness, which, under a Circular of August 17, 1872, were divided between two Divisional Funds for the benefit of the men while serving. In the Army, similar fines went to a Fund out of which gratuities were paid to men on discharge. There was, in fact, no saving which the Board of Admiralty could recommend the Treasury to appropriate as shown by the Return. There were, however, a few sums analogous to certain payments which, in the Army, were appropriated for the benefit of the soldiers. For instance, as regarded unclaimed estates of deceased seamen and marines, no separate account was kept of them previously to 1873, and the Navy Votes were to that extent benefited; but since then separate accounts for each year had been kept, and it would be for consideration whether the balance on each account after the lapse of six years, during which claims might be preferred, should be paid into the Exchequer or otherwise appropriated. Those balances would only, probably, amount to from £200 to £400 a-year. The Regimental Debt Act of 1863 provided that the balance of unclaimed effects of soldiers, after a lapse of more than six years, should be formed into a Fund for the benefit of the widows and children of soldiers dying on service, and he would take care that the Committee now considering the subject of the Pension List of the Navy should, at the same time, consider if some arrangement might not be made similar to that in the Army, whereby these amounts might be applied to the benefit of seamen's widows and orphans, together with the question of the application of the sum of between £6,000 and £7,000, which of the whole £58,000 was the amount which found its way into the Exchequer. He could not say anything further on the subject, considering that the dead weight of pensions had been increasing very largely for several years past.

Viscount SIDMOUTH said, that the noble Earl had not explained about the provisions.

The Earl of NORTHBROOK said, that the seaman's ration had been fixed, after most careful consideration, as that which was needful to keep him in health and full bodily vigour, and his saving any portion of it, except rum, was not desirable. To prevent waste from carelessness, however, he was paid for what he did not eat; but the rates paid—except for rum—were kept low in order to discourage savings for the sake of the payment. Such payments were unknown in the Merchant Service, and were a free gift to the men in the Navy—a bonus, in fact—and conferred no claim whatever on the seaman to the difference between the actual cost of the articles and their savings' prices.

House adjourned at half past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 3rd February, 1881.

MINUTES.]—Ways and Means—*considered in Committee—Resolution* [January 28] *reported* —£2,500,000, Consolidated Fund.

Public Bills — *Ordered—First Reading*—Poor Relief (Clerical Guardians) (Ireland) * [80]; Consolidated Fund *.

Third Reading—Burial and Registration Acts (Doubts Removal) * [66], and *passed.*

QUESTIONS.

AFGHANISTAN (MILITARY OPERATIONS)—FAILURE OF ESTIMATES OF EXPENDITURE.

Mr. BUXTON asked the Secretary of State for India, with reference to his despatch to the Government of India of November 4, 1880, on the failure of the Estimates for the war in Afghanistan, If he can state whether responsibility rests on any Indian officials besides those mentioned as having already resigned, viz.: Lord Lytton and the Military and Financial Members of the Indian Council; whether he has yet been able to rectify "the peculiarity of the procedure for the record of Indian Military Accounts," by which the Indian Government, as late as March 2, 1880, underestimated the cost of the war by the sum of £9,000,000, and, in their Budget of that date, declined a loan and remitted taxation; whether the Indian Government did not discover by the end of March, after an inquiry lasting only a few days, how erroneous were their Estimates of the war; and, what steps he proposes to take to prevent the recurrence of such errors?

The Marquess of HARTINGTON: The Report which the despatch of November 4, 1880, referred to as expected from the Government of India, in accordance with the promise given in their letter of the 1st of June, as to the responsibility which, in their view, attached to the officers by whom the system of Military Accounts had been administered, has not yet been received. The late Government of India explained that the error arose from the Estimate of expenditure for the war having been based on the amount brought to record in the Audited Accounts, instead of the amount issued from the Treasuries for military purposes. Orders have been given that in future the issues for military and other services shall in the Accounts be treated as expenditure. The Government of India discovered in March that their cash balances would be lower than was anticipated; but they did not then know the extent of the error which had been committed. On the 8th of April, the Viceroy reported that the outgoings for the war were far in excess of the Estimate. On the 4th of

May the Government wrote that the aggregate net disbursements to the Military Department since the beginning of the operations had so far exceeded the normal payments to that Department as to suggest strong doubts of the correctness of its Estimates of the cost of the war. Instructions have been given for alterations in the system of account, and in regard to the duties to be assigned respectively to the Comptroller General and the Military Accountant General, as well as for the preparation of a Report by the former officer explaining any important variations between the Accounts and the Estimates. I have no objection to the hon. Member having, as an unopposed Return, a copy of the Report of the Committee appointed by the Secretary of State for India to inquire into the system of Military Account and Estimate in India, together with the evidence given before that Committee, and of the Orders of the Secretary of State on that Report.

RELIEF OF DISTRESS (IRELAND) ACT, 1880—OUT-DOOR RELIEF.

COLONEL COLTHURST asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Local Government Board may not authorise the issue of out-door relief in food and fuel (under section 3, Relief of Distress Act, 1880), in any particular union without (as now) waiting for the receipt of an application from said union; and, whether he will consider the advisability of giving power to the Local Government Board to require any board of guardians to issue out-door relief when necessary, and also continuing the said 3rd section of the Relief Act, amended as suggested up to 31st March 1882?

MR. W. E. FORSTER, in reply, said, that the Local Government Board could authorize the issue of out-door relief under Section 3 of the Relief Act in any Union without awaiting the receipt of an application from the Board of Guardians; but the Board of Guardians had no such power themselves. Applications had been received from about 60 Unions up to the present for special power in this respect. He was not aware of any Union in which it was necessary or desirable to coerce the Guardians to give out-door relief to able-bodied men.

BOILER EXPLOSIONS—EXPLOSIONS AT RUABON AND MAIDSTONE.

MR. HUGH MASON asked the Secretary of State for the Home Department, Whether he would order an official inquiry into the causes and circumstances attendant on the lamentable steam boiler explosion that occurred at Batley on Wednesday 19th January, and is reported to have killed as many as sixteen persons and injured eleven others (ten of those killed being women and children; and, whether the engineer officers of the Board of Trade who attended the inquests consequent on the boiler explosions that occurred at Ruabon on Saturday 20th November, 1880, and at Maidstone on Friday 3rd December, 1880, have reported; and, if so, whether he would allow the Reports to be printed and presented to Members of Parliament?

SIR WILLIAM HARCOURT, in reply, said, that the Maidstone Report had been received and was in the hands of the printer. It would shortly be in the hands of Members.

INDIA—DUTY ON SILVER WORK.

SIR DAVID WEDDERBURN asked Mr. Chancellor of the Exchequer, Whether his attention has been directed to the fact that an important native industry of India is hampered by the duty on all silver work imported into the United Kingdom; and, whether he will consider the question of abolishing the duty upon imported silver work, in the interests of free trade as well as of Indian industry?

MR. GLADSTONE, in reply, said, that, though this was not a matter of great financial importance, yet, as it was a financial matter, if he refrained from giving any positive answer it would form a somewhat dangerous precedent. He had carefully considered the subject of the bearing of these duties upon silver work imported into the United Kingdom from India; and he would continue that consideration of the subject in the hope that circumstances might enable him at the proper time to make some proposal to the House.

FRANCE—NEW FRENCH LABOUR CODE —COOLIES (INDIAN) AT LA REUNION.

MR. ERRINGTON asked the Under Secretary of State for Foreign Affairs, If he can state what is the present position of the negotiations with France relative to the labour traffic between India and the Island of La Réunion; whether, pending those negotiations, the traffic continues; and, whether Her Majesty's Government have yet received the new French Labour Code; and, if so, if he would leave a copy of it in the Library?

Sir CHARLES W. DILKE: The International Commissioners brought their labours to a close, for a time at least, about the end of September last. The French Government were then drawing up a *projet de décret*, which it was agreed that the British Commissioners should see, to regulate the questions at issue. Lord Lyons has recently pressed the French Government for a copy of this decree, in order that Her Majesty's Government may be enabled to come to an immediate decision as to the continuance of the emigration from India. Her Majesty's Government have not been informed whether the emigration has as yet been prohibited by the Indian authorities; but the season will have closed as usual in October last, although some emigration may have continued by steamers, as the Convention allows. With regard to the "new French Labour Code," I presume my hon. Friend refers to the decree of which I have already spoken.

PERU AND CHILI—THE WAR—CONVEYANCE OF DISTRESSED BRITISH SUBJECTS FROM CALLAO TO CHIMBOLI.

Mr. A. M'ARTHUR asked the Under Secretary of State for Foreign Affairs, What answer has been received from Her Majesty's Consul at Callao to the communication which the Foreign Office, in accordance with the statement made by the late Secretary to the Admiralty in the House on August 31st last, addressed to him with reference to the refusal of Captain D'Arcy of Her Majesty's Ship "Shannon" to carry distressed British subjects from Callao to to the port of Chimboti, at the time of the threatened bombardment of the former place?

Sir CHARLES W. DILKE; I am afraid that my hon. Friend has been misled by an incorrect report of the reply given by the late Secretary to the Admiralty in August last. Captain D'Arcy was called on by the Admiralty, and not by the Foreign Office, through Her Majesty's Consul, for an explanation of his refusal to carry certain distressed British subjects from Callao to Chimboti; but I may be allowed to state that the Foreign Office, to whom Captain D'Arcy's despatch was referred, agreed with the Admiralty in considering that officer's explanation satisfactory.

AFGHANISTAN—RETENTION OF CANDAHAR—MEMORANDUM OF LORD NAPIER OF MAGDALA.

Mr. ONSLOW asked the Secretary of State for India, Whether "the means of determining" the policy of the Government for the abandonment of Candahar, stated by the Government to be in their possession, is from oral communication or from written documents; if from the latter, whether the Government will lay these documents upon the Table of the House; whether the Government intend to abandon the Pishin Valley as well as Candahar; to whom and under what form of Government do the Government propose to entrust Candahar and the neighbouring districts after their evacuation by British troops; and, whether, now that a transcript of the Memorandum written by Lord Napier of Magdala has appeared in the "Times" newspaper the Government still intend not to lay it upon the Table of the House?

The Marquess of HARTINGTON: Sir, the information in the possession of the Government, which in their opinion gave the necessary means determining the policy in reference to Candahar, was derived partly from oral statements and partly from written documents; and I have already stated that there is no obligation on the Government, and it is not usual, to lay on the Table of the House confidential memoranda, or notes written by Members of the Council of India, or other authorities whom the Government may think it necessary to consult. I will, however, before the House discusses this question, consider whether it is possible, in this case, to lay on the Table any written information which has been received. The hon. Member asks what are our intentions with regard to the Pishin Valley as well as to Candahar, and to what form of government it is proposed to entrust Candahar and the neighbouring districts after the evacuation? The question of the limit to be occupied by our troops and the form of government at Candahar and the district around it is still under the consideration of the Government of India. I do not think it would be possible within the limits of a question to state to the House what the position of affairs is generally in Candahar and the neighbourhood. I shall be very glad to do so when there is an opportunity of bringing the Question fully before the House. With regard to Lord Napier of Magdala's Memorandum, it would not be in our power to lay it officially on the Table. It has never been officially communicated to me. If it should reach me in an official form, I will consider whether it is possible to include it in the Papers.

STATE OF IRELAND — PUBLIC MEETINGS — THE DRUMCOLLIHER LAND LEAGUE.

MR. O'SULLIVAN asked Mr. Attorney General for Ireland, If it is true that a constable of police entered a private room belonging to the Land League at Drumcolliher, county Limerick, on Tuesday last, and, when remonstrated with for remaining therein uninvited, he stated he would remain there until he was forcibly ejected; if it is true that the parish priest was in the chair at the time, and that there were also present priests, professional men, and some of the largest farmers in the district; and, whether the police are directed to act in this manner for the purpose of exasperating the people into committing a breach of the peace?

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON) (for Mr. ATTORNEY GENERAL for IRELAND), in reply, said, that he had not received Notice of this Question, and, therefore, could not reply as to the facts; but with respect to the last portion of it, he could assure the House that in no instance had the police in Ireland been directed to act in such cases in any manner for the purpose of exasperating the people into a breach of the peace.

STATE OF IRELAND—PROCLAMATION OF COUNTY CLARE

MR. FINIGAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Upon what grounds and upon what informations it has been thought necessary to proclaim the County Clare, which is stated by responsible persons in the county to be in a condition of peace and order?

MR. W. E. FORSTER: The County Clare was proclaimed by the Lord Lieutenant because of its unsatisfactory state on the urgent representations of the Lieutenant of the county, the magistrates, and the Constabulary authorities. Those representations were well weighed by His Excellency, and he thought that the county ought to be proclaimed. I am not aware that any responsible person has reported the county to be in a condition of "peace and order." I suppose by "responsible persons" the hon. Member means people publicly responsible for the observance of peace and order.

MR. FINIGAN: Town Commissioners.

MR. W. E. FORSTER: Town Commissioners are hardly responsible for the county of Clare. There are 31 persons in the county who are specially watched over.

ARMY—REGIMENTAL COLOURS.

SIR ALEXANDER GORDON asked the Secretary of State for War, with reference to his reply of the 12th August last, Whether he has during the Recess considered the propriety of placing regiments clothed in red on the same footing as those clothed in green, with respect to "Regimental Colours," by discontinuing the use of such impedimenta?

ADMIRAL EGERTON had also a Question on the Paper to ask the Secretary of State for War, Whether he will take steps to inquire if, under the existing circumstances of military warfare, and in view of the great risk to and loss of valuable lives attending the practice of carrying regimental colours into action, it may not be desirable to modify the rules of the service regarding it?

MR. CHILDERS: With their permission I will also answer the Questions on this subject put by the hon. and gallant Member for East Derby (Admiral Egerton) and the hon. Member for Kinsale. At the end of the last Session my hon. and gallant Friend put a similar Question, and I replied that the use of Regimental Colours would receive full consideration by the military authorities. The inquiries are not complete;

but before the end of the Session I hope to be able to make a statement to the House on the subject.

POOR LAW (IRELAND)—REGULATION OF OUT-DOOR RELIEF.

Mr. METGE asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is the case that while in England out-door relief may be granted to the family of any person confined in a gaol, in Ireland there is no such power; whether such want of power to grant out-door relief does not arise from the provisions of the Act of 1847; and, whether, if this is the case, he will take any steps to amend the provisions of that Act?

Mr. W. E. FORSTER, in reply, said, he had only seen the hon. Member's Question that morning, and he should ask him to postpone it until he had ascertained what was the law on the point.

WEIGHTS AND MEASURES ACT, 1879—USE OF DEFECTIVE GLASS MEASURES.

Mr. BARRAN asked the President of the Board of Trade, If he will sanction the use of glass measures of capacity made prior to the Act of 1879, which are defective to the extent of 50 minims or drops in 20 ounces for veterinary purposes, upon their being marked by the inspector accordingly; and, if not, will the Board of Trade allow compensation for loss of value; and, whether, as the glass measures used by apothecaries and retail chemists and druggists do not alter in any way by use, it may be distinctly understood that any glass measure bearing the mark of verification of an inspector appointed under this Act will be considered a legal measure in any part of the United Kingdom?

Mr. CHAMBERLAIN, in reply, said, the Board of Trade had no power to interfere with the verification by local authorities of glass measures; but they were, by the assistance of the Pharmaceutical Society and the principal local authorities, preparing suggestions as to the scale of error which should be permitted. The Weights and Measures Act of 1878 provided that a measure duly stamped by an Inspector under the Act should be a legal measure throughout the United Kingdom, unless found to be false or unjust. There had recently been a conviction in the case of a measure stamped by an Inspector; but it was quashed on appeal on the ground that the possessor was not aware that it was false or unjust.

ENDOWED SCHOOLS AND HOSPITALS—DULWICH COLLEGE—THE NEW SCHEME.

Mr. CHARLES ROUNDELL asked the Vice President of the Council, The cause of the delay of the Charity Commissioners in submitting a new scheme for Dulwich College?

Mr. MUNDELLA, in reply, said, that the scheme had that day been forwarded to the Governors of the College.

THE PENAL SERVITUDE COMMISSION, 1879—DISCONTINUANCE OF THE PRISON AT SPIKE ISLAND.

Mr. ARTHUR O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Government propose to adopt the recommendation of the Penal Servitude Commission of 1879, and of the General Prisons Board of Ireland, to discontinue the prison at Spike Island?

Mr. W. E. FORSTER: In reply to the hon. Member's Question, I beg to say that it is the intention of the Government to discontinue the prison at Spike Island.

STATE OF IRELAND—CRIME IN WEXFORD.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether attention has been drawn to the fact that on Friday last the Wexford Grand Jury were discharged without being sworn owing to there being no criminal cases to try?

Mr. W. E. FORSTER: I do not know whether the attention of other people has been called to it; my attention certainly has not been called to it.

MERCANTILE MARINE—THE LISTS.

Colonel ALEXANDER asked the President of the Board of Trade, Why the Lords Commissioners of Her Majesty's Treasury recently issued a Circular to the Collectors of Customs at the principal ports of England and Wales, in which instructions were given to withhold the names of shippers hitherto furnished to daily papers in connection with the regular shipping list?

MR. J. HOLMS: If the hon. and gallant Member refers to the directions which have been given to omit exporters' names from the Bill of Entry B, the answer to his Question is that such directions were founded on a recommendation made by a Departmental Committee appointed to inquire into the work of the Bill of Entry Office last year. That recommendation was made on account of the objection taken by exporters to the practice of publishing their names. I may add that as importers have no objection to their names being published, the names of importers are still published as hitherto.

SCOTLAND—THE REGISTER HOUSE, EDINBURGH—RE-ORGANIZATION.

MR. FRASER MACKINTOSH asked the Lord Advocate, When the Scheme for the Re-organization of the Register House, Edinburgh, will be promulgated, and in what manner vacancies are proposed to be filled up?

THE LORD ADVOCATE (Mr. J. M'LAREN): In answer to the first part of the Question, I can state that the Report of the Departmental Committee on the Register House has been prepared. In answer to the second part of the Question, I beg to say that the Committee have recommended a modified application of the Civil Service system; but further than that I am not in a position to report.

STATE OF IRELAND—CLOSING OF PUBLIC-HOUSES AT TUAM.

MAJOR NOLAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If an order was suddenly given on Wednesday the 26th of January to clear the public houses in Tuam on the evening of the 26th of January, when the town was illuminated to celebrate the termination of a Dublin trial; and, if, on this occasion, there were any indications of a breach of the peace sufficient to warrant so strong a step; and, if not, would he give orders to prevent for the future taxpayers from being seriously interrupted in the exercise of their lawful calling?

MR. W. E. FORSTER, in reply, said, that an order had been given to close the public-houses at Tuam on the 26th of January. There was sworn information that if they were not closed a riot might be anticipated. There was no reason why the Government should interfere.

TURKEY—BLACK SEA LIGHTHOUSES.

MR. C. PALMER asked the Under Secretary of State for Foreign Affairs, What steps have been taken at Constantinople to place the lighthouses, lightships, and life-saving establishments in the Bosphorus and Black Sea, and which are mainly supported by dues levied on British shipping, under a satisfactory control and direction of an international or a properly constituted Commission?

SIR CHARLES W. DILKE: I have just laid on the Table the last despatch received from Mr. Goschen on this subject, which fully shows the present position of this question.

POST OFFICE—LETTERS OF MEMBERS.

DR. LYONS asked the Postmaster General, Whether he will consider the feasibility of franking all outward letters of Members of this House posted on the premises, having regard to the fact that the great bulk of the correspondence of Members arises in the discharge of their duties to their constituents?

MR. FAWCETT, in reply, said, if it were thought desirable to adopt the suggestion contained in the Question, it would not be in his power to carry it out; because by the Act 3 & 4 *Vict.* c. 96, all provisions with regard to the franking of letters were abolished, and Members of the House were placed in the same position as the general public.

NAVY—SEAMEN'S RATIONS.

SIR H. DRUMMOND WOLFF asked the Secretary to the Admiralty, Whether an order has been recently issued to any of Her Majesty's Ships forbidding the seamen of the Fleet to land any of the fresh meat issued to them as rations; and, if there is any special reason for such an order, and by whose authority it was issued?

MR. TREVELYAN: The Commander-in-Chief at Portsmouth last January issued a confidential Memorandum, calling attention to the 648th Article of the Queen's Regulations, which directs that—

> "Provisions or stores are not to be issued on shore, or taken out of the ship, for any other purpose than for victualling portions of the crew when absent on duty, or on other public account; and they are never in any way to be deemed to have become public property."

This is not a new Regulation. It can be traced in the Admiralty instructions as far back as 1844; and the reason why the Order referring to it was issued was that the Commander-in-Chief had cause to know that it was violated.

POOR LAW—THE POOR RATE.

Mr. MAC IVER asked the President of the Local Government Board, If his attention has been called to an Appeal Case heard in the Court of Exchequer on 28th November 1879 (The Overseers of the Parish of St. Werburgh, Derby, Appellants, and Henry Hutchinson, Respondent), when a decision was given that an outgoing tenant leaving premises before the expiration of the period for which a poor rate is made, and is not followed by an incoming tenant, but the premises remaining unoccupied during the remainder of the period, is liable for the full amount of the rate; whether he is aware that, in consequence of this decision, the Poor Law Auditors in various parts of the Country are compelling overseers to collect the full amount levied under the circumstances; and, seeing that the sixteenth section of "The Poor Rate Assessment and Collection Act, 1869," was intended to remedy this anomaly, he is prepared to take steps for the removal of the injustice referred to?

Mr. DODSON: My attention has been called to this case; but I am not aware to what extent, if any, the auditors are requiring overseers to collect the full rates from outgoing occupiers. In those cases where there is a liability to pay the full rate it is incumbent on the overseers to collect the amount; and if they neglect to do so, it is the duty of the auditors to surcharge the overseers with the deficiency. It has been the law ever since the Statute of Elizabeth that a poor rate becomes due immediately after it is allowed by the Justices; and as it is made to cover prospective expenditure during the estimated period, overseers would be involved in serious difficulty if they could not recover the full amount from the occupier, who might otherwise allege that he was about to quit and claim to pay part of the rate only. Section 16 of the Poor Rate Assessment and Collection Act, 1869, was not intended to meet the particular case referred to. The intention was not to protect the ratepayers, but to protect the parish by enabling the overseers, in cases where an outgoing tenant had failed to pay the full rate, to recover a proportionate part from an incoming tenant, or where the premises were unoccupied when the rate was made and become occupied afterwards. At present, it is doubtful whether an outgoing tenant can recover any part of a rate which he has paid from an incoming occupier, and to this extent the law may need amendment; otherwise, in the interest of the ratepayers as a body, there would seem to be good reason why the existing law should be maintained.

NAVY—NAVAL MEDICAL OFFICERS.

Dr. FARQUHARSON asked the Secretary to the Admiralty, Whether the Report of the Committee on the pay and position of Naval Medical Officers will be circulated before the next examination of candidates for the Medical Service of the Navy?

Mr. TREVELYAN: The Report on the pay and position of Naval Medical Officers will be presented to Parliament when the correspondence on some minor points in the scheme has been terminated with the Treasury. The scheme has, however, virtually been settled, and may shortly be described as follows:—Ever since 1854 it has been understood that the pay and position of Naval Medical Officers shall be 7 per cent better than the pay and position of Army Medical Officers, in order to counterbalance the advantages of the two Services. The position of Army Medical Officers was improved by the late Government on such a scale that there is no difficulty now in obtaining suitable candidates. The scheme which I shall have the honour of laying before the Committtee, in moving the Estimates, gives a proportional improvement to Medical Officers in the Navy, placing them on a scale 7 per cent better than the improved scale in the Army. The new scheme of pay, position, and retirement will come into force on the 1st of April next. It may be mentioned that successful candidates will receive full pay as surgeons from the moment of entering the Service.

POOR LAW — VACCINATION — THE HOLBORN BOARD OF GUARDIANS.

MR. P. A. TAYLOR asked the President of the Local Government Board, Whether it is true that he has given any sanction to a resolution lately brought before the Holborn Board of Guardians, under which relief would be refused to all paupers who had not been vaccinated?

MR. DODSON: I have not given my sanction to any resolution by the Holborn Guardians under which relief would be refused to all paupers who had not been vaccinated. Nor do I believe that any such resolution has been passed by them. In view of the spread of small-pox, a recommendation was made to the Guardians that the medical officer, when examining paupers on their admission to the workhouse, should ascertain whether they had been vaccinated, and, if not, that steps should be taken to induce their vaccination as early as practicable; but this is a very different thing from making vaccination a condition of relief, which would be altogether illegal.

STATE OF IRELAND—PUBLIC MEETINGS—LAND LEAGUE MEETING AT BANTRY.

MR. HEALY asked Mr. Solicitor General for Ireland, Whether it is true that, on the 24th January, at a meeting of the Bantry Land League in a large storeroom in the town, a couple of policemen were in attendance; whether the head-constable asked permission to have some of his men present at the meeting; whether, on being refused, he stated that he could get a warrant, and insist on attending; whether permission was therefore given to the police to be present; and, if the conduct of the police has the approval of the Government?

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON): I have inquired into this matter, and what appears to have occurred was this. The secretary, Mr. Gilhooly, was standing in the street at Bantry, and on being asked by the head constable whether he had any objection to the head constable and another constable attending the meeting, objected to their doing so and said it was a private room. On this, the head constable said he could get a warrant and go in. There the matter ended so far. Soon afterwards the head constable met a prominent member of the Land League, and on telling him that Mr. Gilhooly would not let the constables into the meeting, he said—"Come along, and I'll give you leave." Accordingly they went and were at once admitted. With reference to that part of the Question which inquires "if the conduct of the police has the approval of the Government," so far as I can see the constables were admitted to the meeting voluntarily, and not, as the previous terms of the Question would appear to suggest, under threat of obtaining a warrant. If any such threat had been used, in the circumstances of this case, it would not have had the approval of the Government.

AGRARIAN CRIME (IRELAND)—THE RETURNS.

MR. DAWSON asked the Chief Secretary to the Lord Lieutenant of Ireland, If he would have any objection to submit a Return of Agrarian Crime in Ireland from the 1st day of January 1880, distinguishing serious from trivial offences, and showing the cases in which more than one charge is recorded against the same person or persons; and also showing where more than one person is charged for an offence committed at the same time and place?

MR. W. E. FORSTER, in reply, said, that it would be perfectly easy for the hon. Member to get the information he required from the Returns already before the House.

PARLIAMENT—THE SITTINGS OF THE HOUSE.

COLONEL MAKINS asked the First Commissioner of Works, Whether, looking to the probability that the sittings of the House may be continued beyond the hours of darkness during which the signal lamp on the Clock Tower would be available, and also with reference to Wednesday and other morning sittings, he will consider the practicability of hoisting a flag on the tower, or using some other signal, to indicate that the House is sitting, during the hours of daylight.

MR. SHAW LEFEVRE, in reply, said, he hoped he was justified in assuming that the House would not often sit until daylight when it met at 4 o'clock, and that it would scarcely be worth while, in his opinion, to act upon the suggestion of the hon. and gallant Member so far as the Sittings on Wednesdays were concerned.

RELIEF OF DISTRESS (IRELAND) ACT—RELIEF WORKS AT CLONAKILTY.

Colonel COLTHURST asked the Chief Secretary to the Lord Lieutenant of Ireland, If he can state the reason why the Relief Works recently passed by the Presentment Sessions in the Union of Clonakilty have not yet been sanctioned by the Government?

Mr. W. E. FORSTER, in reply, said, that the works recommended by the Local Government Board had received the sanction of the Government, and that the Board of Works had got the necessary instructions to carry them out.

ARMY—ROYAL HIBERNIAN MILITARY SCHOOL, DUBLIN.

Mr. W. J. CORBET asked the Secretary of State for War, If he will inquire whether undue severity is used in inflicting corporal punishment on the boys in the Royal Hibernian Military School, Phœnix Park, Dublin; and if there is any foundation for a statement that a child of eight years of age, who was just discharged out of hospital, was beaten so severely for sharing his dinner with another boy that he fainted several times; and, if such should be the fact, by whose authority the punishment was inflicted?

Mr. CHILDERS: I have made inquiry into the statement referred to in the Question of the hon. Member for Wicklow, and I believe that whoever has made it to him has greatly exaggerated the circumstances of the case, which occurred in October last. But Sir Thomas Steele has appointed a Committee of the Governors to inquire into the discipline and mode of punishment in the school, and I shall give every attention to their Report when I receive it.

SOUTH AFRICA—THE TRANSVAAL WAR—LIST OF KILLED.

Sir HENRY HAVELOCK-ALLAN asked the Secretary of State for War, Whether any instruction has been given to Sir George Colley to telegraph the names of officers and men who have fallen in the late action in the Transvaal?

Mr. CHILDERS: In reply to my hon. and gallant Friend, I have to state that some days ago I telegraphed to Sir George Colley to report by telegraph all deaths of men, as well as officers; and this information, when received, will be immediately published.

In reply to an hon. Member,

Mr. CHILDERS said: I especially telegraphed to Sir George Colley, requesting him to give me, as soon as he could obtain it, detailed information as to the fate of Colonel Anstruther; but up to the time of coming down to the House I have not received a reply to that telegram.

ORDER—PRIVILEGE—PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL—CLOSURE OF THE DEBATE ON WEDNESDAY.

Mr. J. COWEN: I desire to ask the Prime Minister a Question of some importance; and, to put it clearly before the House, I require to offer a few sentences of explanation, which I trust the House will allow. You, Mr. Speaker, yesterday took upon yourself a very heavy responsibility. You closed a debate when there were Members in the House who, according to the Rules, had still a right to be heard. You said that this exercise of your power was unusual and exceptional. My hon. Friend the Member for Northampton (Mr. Labouchere) asked you under what Standing Order of the House you took that course. You said that you had acted on your own responsibility, and from a sense of duty to the House. My hon. and learned Friend the Member for Meath (Mr. A. M. Sullivan) asked you to allow him to question the legality of the proceedings on a point of Privilege. You refused to permit him to do this. You said the only way in which your authority could be called in question was by a distinct Motion. Now, Sir, a Motion by a private Member of the House cannot be made at the present time, as the Government have absorbed all the time of Parliament. What I want to ask the Prime Minister is—seeing the extraordinary, exceptional, and serious character of the step that you, on your own responsibility, took yesterday — whether the Government will give facilities for reviewing your action in this matter? It is not a question of Party. It does not affect the Irish Members alone, but it affects the privileges and rights of the British Parliament; and I trust the Prime Minister will permit the subject to be debated without delay, both in your interest and in that of the Legislature.

Mr. GLADSTONE: I can only say that I enter into all the considerations named by the hon. Gentleman, and admit the force of the general considerations stated in his Question. After an occurrence such as that which has taken place, it is, in the first place, I think, due to you, Sir, and it is, in the second place, due to the universal feeling of the House, and the interests involved, that we should anxiously desire an opportunity, as your judgment and procedure have been challenged, that the final judgment of the House should be pronounced upon it. The hon. Gentleman is perfectly accurate in stating that one large portion of the burden now imposed upon us consists in this—that by a Motion carried in this House we have absorbed all the time and all the opportunities which are ordinarily at the command of private Members. Then, what is the obligation which devolves upon us in consequence of our having, in that sense, possessed ourselves of the whole time of the House? I think the obligation imposed upon us, subject, of course, to our responsibility to this House, is in good faith to present to the House each of the subjects of which we are officially in charge, in proportion to their claim upon the public time. That being so, I must say that, although had such a case as that of yesterday morning occurred in ordinary times, I should have considered that it was urgent, and that it should take precedence of all ordinary Business, and although now I think it should take precedence of all ordinary Business, I must consider we have now in hand Business that is not ordinary. It is Business extraordinary, that the measures now before the House, especially that connected with the safety of life and the protection of property in Ireland, and the proposals which Her Majesty's Government found themselves under the necessity of preparing, to enable the House to deal with those measures, should take precedence of every other subject. The moment that we can tolerably escape from these obligations, I should quite agree—no one would be more desirous than I—that we should relieve you, Sir, from any uncertainty, and that we should pay your office and yourself the mark of respect which can be conveyed by our searching for the very first opportunity of discussing the matter referred to in the Question of the hon. Member in preference to the discussion of anything that can be called ordinary Business.

Mr. A. M. SULLIVAN said, that as the Notice of Motion given by him on this subject now appeared on the Paper, and as he had placed it there for the purpose of raising the question in proper form, and of challenging the legality of a certain act, and as he now learned from the Prime Minister that, although he was aware that the issue was thus raised, he declined to afford the Speaker and the House the earliest opportunity of having that great issue decided, he (Mr. A. M. Sullivan) begged to say that he should not be any party to a farce, and he should withdraw the Motion, which the Prime Minister feared to have faced.

TURKEY AND GREECE—THE GREEK FRONTIER QUESTION.

Mr. BRYCE asked the Under Secretary of State for Foreign Affairs, Whether there is any foundation for the statement contained in a Reuter's telegram, and published in various newspapers, to the effect that isolated communications are being addressed to the Porte by Mr. St. John, who at present represents Her Majesty at Constantinople?

Sir CHARLES W. DILKE: In answer to the Question of the hon. Member as to whether there is any foundation whatever for a Reuter's telegram in the papers of to-day, which states that isolated communications are being made by Mr. St. John to the Porte on the Greek Frontier Question, I have to say that there is no foundation for this report.

THE DIVISION LISTS.

Mr. D. O'CONOR complained that in the list of the first Division on Tuesday morning, his name was placed among those who voted with the majority. At the time when the Division took place he was not in the House, having gone home after 2 A.M., thinking that there was no prospect of a Division on the Main Question. It, therefore, appeared as if some person had been representing him. In some evening papers he was alluded to as one of the few Irish Members who opposed the Divisions of Irish Members opposite. As he had not taken part in any of those Divisions he wished to make it clear that he had not voted with the majority.

Mr. SPEAKER: The hon. Member having drawn the attention of the House to a mistake in the Division Lists, the Lists will accordingly be corrected.

PARLIAMENT—RULES AND ORDERS—QUESTIONS.

Mr. HEALY asked the Speaker, Whether it was not usual for a Member to be communicated with when a Question which had been given in to the Clerk at the Table did not appear on the Paper, or when it was altered? His reason for asking was that a Question which he wished to put to the Chief Secretary for Ireland did not appear on the Paper.

Mr. SPEAKER: I understand that the terms of the Question to which the hon. Member refers were brought up to the Table yesterday about a quarter of an hour before the House rose. Sufficient time has not been given for determining whether the Question is regular; and I am bound to say, on looking at the Question, that it will require some consideration before it is submitted to the House.

IRISH LEGISLATION—THE LAND BILL.

Mr. GIVAN asked the Prime Minister, Whether, in view of the great anxiety prevailing in Ireland for remedial measures, he would be prepared on an early day to inform the House and the country of the general details of the proposed Land Bill?

Mr. GLADSTONE: The hon. Member himself has just heard the appeal made to me to find time for the consideration of another matter of extreme importance. I can only say this—and I am bound to say it—that, in my opinion, founded upon a pretty long experience, and having reference to matters necessarily of a more or less complicated nature, I am afraid—I wish it were otherwise—there is but one way of safely, usefully, or effectually conveying to the House an idea of the character of the provisions of the measure to which the hon. Member has referred, and that is by a lengthened explanation, accompanied by the act of laying the Bill on the Table. We are anxious, on the earliest opportunity which we can find in the as yet uncleared state of matters, to acquaint the House with the subject referred to in the hon. Member's Question. I cannot at present speak more definitely.

THE CONVICT MICHAEL DAVITT.

Mr. PARNELL: I beg to ask the Secretary of State for the Home Department, Whether Mr. Michael Davitt was arrested at One o'clock to-day?

Sir WILLIAM HARCOURT: Yes, Sir. After consultation with my Colleagues the Law Officers of the Crown and the Secretary to the Lord Lieutenant, I have come to the decision that the conduct of Michael Davitt has been incompatible with the ticket-of-leave by which a convict enjoying the conditional favour of the Crown is permitted to be at large.

Mr. PARNELL: I beg to ask the Home Secretary which are the conditions of his ticket-of-leave which Michael Davitt has violated?

Sir William Harcourt gave no answer to the Question.

MOTIONS.

PARLIAMENT — BUSINESS OF THE HOUSE (URGENCY).—RESOLUTION.

RULES OF DEBATE—DIVISIONS—SUSPENSION OF MEMBERS.

[*It is to be understood that throughout the subsequent proceedings the greatest excitement and confusion prevailed.*]

At half-past Four o'clock, in accordance with Rule 116, by which Motions concerning Public Business are taken before the commencement of the regular Business of the day—

Mr. SPEAKER called upon Mr. Gladstone.

Mr. GLADSTONE: I rise, Sir, in conformity with the Notice I yesterday gave to the House, for the purpose of calling its attention to a subject of considerable novelty, and of the extremest gravity——

Mr. DILLON rose amid loud cries of "Order!" *and* "Chair!"

Mr. SPEAKER: The right hon. Gentleman is in possession of the House.

Mr. DILLON again rose in his place. ["Order, order!" "Chair! Chair!"]

Mr. SPEAKER: I call on the hon. Member to resume his seat.

Mr. A. M. SULLIVAN: But the hon. Member rises to a point of Order. ["Chair! Chair!"]

Mr. DILLON (who remained standing, though directed by Mr. Speaker to resume his seat): Mr. Speaker, I rise to demand my Privilege—[*Renewed cries of* "Chair!" *and* "Order!"]

Mr. SPEAKER: The hon. Member for Tipperary is disregarding the authority of the Chair—therefore, in the terms of the Standing Order, I Name you, Mr. Dillon, as wilfully disregarding the authority of the Chair.

Mr. GLADSTONE: Sir, you have Named Mr. Dillon as wilfully disregarding the authority of the Chair; and I therefore move, in conformity with the Standing Order—"That Mr. Dillon be suspended from the service of the House during the remainder of this day's sitting."

Motion made, and Question put, "That Mr. Dillon be suspended from the service of the House during the remainder of this day's sitting."—(*Mr. Gladstone.*)

Mr. A. M. SULLIVAN: Mr. Dillon rose to a point of Order. I object to the division being taken.

The House *divided:*—Ayes 395; Noes 33: Majority 362.—(Div. List, No. 21.)

Mr. SPEAKER: In accordance with the Resolution just passed by the House, Mr. Dillon will withdraw.

Mr. DILLON: I beg most respectfully to——[*Loud cries of* "Order! Order!" *and* "Chair! Chair!"]—I rise to a point of Order, and I demand my Privilege, as a Member of this House ——[*Renewed cries of* "Order!"]

Mr. SPEAKER: Under the present circumstances, it is quite out of the question that the hon. Gentleman should be allowed to address the House, and I must call upon him to withdraw.

Mr. DILLON: I most respectfully decline, Sir, to withdraw.

Mr. SPEAKER: It is my duty to carry out the Order of the House, and I direct the Serjeant-at-Arms to remove Mr. Dillon.

Mr. A. M. SULLIVAN: On a point of Order, Mr. Speaker, I wish to say—["Order, order!" *and* "Chair! Chair!"] [*Cries of* "Order!" *and* "Name!"]—in the case of the Member for Northampton (Mr. Bradlaugh) a debate took place on the Motion, and I rise to speak on this Motion. ["Order!"]

The Serjeant-at-Arms accordingly, advancing to the hon. Member, invited him to retire; who however refusing, the Serjeant-at-Arms (the principal Doorkeeper and Messengers being in attendance), placing his hand upon the hon. Member, requested his compliance with the Order of Mr. Speaker—

Whereupon, Mr. Dillon, exclaiming, "If you employ force I must yield," withdrew with the Serjeant-at-Arms.

Mr. A. M. SULLIVAN: Mr. Speaker, I respectfully submit that, within the Rules followed last year in the case of the hon. Member for Northampton—[An hon. Member: Ah! but he was an Englishman!] There is no doubt, Sir, that you were strictly within the Rules in putting the Motion that Mr. Dillon withdraw; but you declared last year from the Chair that, without specific authority from the House arming you with the necessary power to carry out the Resolution of the House, you could not act; and when the hon. Member for Northampton refused to withdraw, the Prime Minister or someone else got up and gave you, by Motion in the House, which was debated, the authority without which you declared that you could not act. I therefore, Sir, respectfully submit that the conduct now pursued is a violation of precedent, a violation of liberty, an act of illegality; and I contest it as such, leaving it to all whom it may concern to pursue to any extremity they please the penalty of my making this protest. My hon. Friend the Member for Tipperary rose to a point of Order that it was within his competence to do. According to the ancient usages and Rules of this House, if any Member rises to a point of Order, the point of Order is heard, and by you, Sir, determined, and then he must take his seat. But my hon. Friend, after again and again declaring that he rose to a point of Order, found himself—[*Cries of* "No!"]—if hon. Gentlemen say "No!" it is because the clamours which assailed him—themselves violations of Order—prevented them or others from hearing him; but there are a dozen Gentlemen here who can make oath that they heard him. Having thus risen to a point of Order—having been refused from the Chair the liberty to make a point of Order—he has been punished by an illegal exercise of usurped authority. And I adjure the House to pause in this course of illegality, which is being systematically and in combination pursued by a majority. I say that I challenge the production of any precedent for what has happened. My hon. Friend was within his right. He rose to a point of Order; and when that right was attempted to be taken from him, he asserted it by the only way that was open to him—the reign of law being over, and the reign of force having commenced. I say, on my own responsibility, that we have become a mere parody of the Third Empire.

Mr. SPEAKER: The hon. Member is entitled to rise to a point of Order, and while he confines himself to the point of Order the House will be ready to hear him; but I cannot allow him to digress into extraneous matters in the manner he is now doing.

Mr. A. M. SULLIVAN: I shall do exactly what the Rules of the House prescribe. I feel myself in an exceedingly peculiar position, because I rise to protest against the legality of what has been done. It was in no spirit of bravado that I rose to contest in my humble person the legality of what has taken place. I say, Sir, if I was at liberty to rise on this point of Order, so was my hon. Friend theMember for Tipperary. Why am I to have a liberty denied to him? I decline to accept any exceptional favour which is not shared by every Member of this House. There is no high or low here. ["Question, Question!"] I again adjure the House to pause in what it is now doing. They have sent my hon. Friend from this House, dragging him from his seat——

Mr. SPEAKER: I will at once answer the hon. and learned Member on the point of Order which he has raised. The hon. and learned Member says that the hon. Member for Northampton (Mr. Bradlaugh) was removed from the House, and that it was done by a special Order of the House. That is perfectly true. Upon that occasion I was unable to act on my own authority on that question because there was no Order of the House. But there is now an Order of the House that Mr. Dillon be suspended, and I am bound to carry out the Order of the House. With regard to the other point of Order raised by the hon. and learned Member, I have to point out that, under present circumstances, it is immaterial whether Mr. Dillon rose to a point of Order or not. Even assuming that to be the case, he was entirely defying the authority of the Chair by his conduct. It is a well-understood Rule that when the Speaker rises every Member is bound to resume his seat. The hon. and learned Member (Mr. A. M. Sullivan), in deference to that Rule, resumed his seat—Mr. Dillon remained in his place, and stood there in defiance of the authority of the Chair. It was in consequence of that defiance of the authority of the Chair that he was suspended.

Mr. GLADSTONE: The point of Order being now disposed of——

Mr. A. M. SULLIVAN rose, amid loud cries of "Chair, Chair!"

Mr. SPEAKER: I call upon the right hon. Gentleman to proceed.

The O'DONOGHUE: I rise to move the adjournment of the House. [*Loud cries of* "Order, Order!" "Chair, Chair!"]

Mr. SPEAKER: The right hon. Gentleman is in possession of the House, and is entitled to proceed without interruption.

Mr. PARNELL: I beg to move that the right hon. Gentleman be no further heard. [*Cries of* "Name him! Name him!"]

[From this incident forward, the Business of the House proceeded under indescribable confusion.]

Mr. SPEAKER: With the permission of the House—the right hon. Gentleman is in possession of the House, Mr. PARNELL: I insist upon my Motion being put. ["Name, Name!"] Upon a former occasion, it will be in the memory of this House that the right hon. Gentleman himself——

Mr. SPEAKER: The hon. Member for Cork leaves me no option by his conduct. The hon. Member persists in interruption when I have called upon the right hon. Gentleman. If he persists, I shall be bound to Name him to the House.

The O'DONOGHUE: I rise, Sir, most respectfully to a point of Order. I have to point out to you that the course taken by my hon. Friend is identical with a course adopted on a former occasion, and that my hon. Friend has simply followed a precedent set him by the right hon. Gentleman the Prime Minister himself. When an hon. Member rose upon an occasion which will be perfectly within the recollection of the House and was in the act of speaking, the right hon. Gentleman moved that that hon. Member should be no longer heard.

Mr. SPEAKER: I regard the course which is now being taken in the nature of wilful and persistent Obstruction; and I shall, therefore, put in force the Standing Order in relation to that matter. I now call upon the right hon. Gentleman to proceed.

Mr. GLADSTONE: I now propose, Sir, after the painful scenes we have witnessed, to re-commence the sentence which was interrupted when I was beginning my speech. The duty which I have to perform concerns a matter which is, undoubtedly, of vast importance, and a matter which, unhappily, at every point, is bristling with polemical differences and controversial matters——

Mr. PARNELL: I beg to insist, as a Member of this House, upon my right to move that the right hon. Gentleman the Prime Minister be no further heard.

Mr. SPEAKER: As I have already stated, I regard this conduct as wilful and deliberate Obstruction. [*Cries of* "Name, Name!"]

Mr. A. M. SULLIVAN: The Prime Minister was allowed to do what the hon. Member now seeks to do.

Mr. SPEAKER: I Name you, Mr. Parnell, as disregarding the authority of the Chair.

Mr. GLADSTONE: The Speaker having Named Mr. Parnell, the Member for the City of Cork, in pursuance of the Standing Order of February, 1880, it becomes my duty to move that Mr. Parnell be suspended from the service of the House during the remainder of this day's Sitting.

Motion made and Question put, "That Mr. Parnell be suspended from the service of the House during the remainder of this day's sitting."—(*Mr. Gladstone.*)

The House proceeded to a Division.

Lord Richard Grosvenor, one of the Tellers for the Ayes, came to the Table and stated that he was unable to clear the House for the Division, certain Members having declared to him that it was their intention not to quit their places in the House.

Mr. A. M. SULLIVAN said, the Home Rule Members continued in their places as a protest against the illegality of the proceeding.

Mr. Speaker informed those Members it was their duty to retire from the House into one of the Lobbies, in order to take part in the Division, and that, if they refused to do so, their votes could not be counted; and Mr. Speaker then directed the Division to proceed.

The Tellers declared the numbers to be:—Ayes 405; Noes 7: Majority 398.

AYES.

Acland, Sir T. D.
Agar-Robartes,hn.T.C.
Ainsworth, D.
Alexander, Colonel
Allen, H. G.
Anderson, G.
Armitage, B.
Armitstead, G.
Arnold, A.
Ashley, hon. E. M.
Bailey, Sir J. R.
Baldwin, E.
Balfour, A. J.
Balfour, Sir G.
Balfour, J. B.
Balfour, J. S.
Baring, Viscount
Barnes, A.
Barran, J.
Barttelot, Sir W. B.
Bass, A.
Bateson, Sir T.
Baxter, rt. hon. W. E.
Beach,rt.hon. Sir M.H.
Beaumont, W. B.
Biddell, W.
Biddulph, M.
Birkbeck, E.
Birley, H.
Blackburne, Col. J. I.
Blennerhassett, R. P.
Bolton, J. C.
Boord, T. W.
Borlase, W. C.
Bradlaugh, C.
Brand, H. R.
Brassey, T.
Brett, R. B.
Briggs, W. E.
Bright, rt. hon. J.
Brinton, J.
Brise, Colonel R.
Broadhurst, H.
Broadley, W. H. H.
Brooke, Lord
Bruce, rt. hon. Lord C.
Bruce, hon. R. P.
Bruce, hon. T.
Bryce, J.
Brymer, W. E.

Butt, C. P.
Buxton, F. W.
Cameron, C.
Campbell, J. A.
Campbell, Sir G.
Campbell, R. F. F.
Campbell-Bannerman, H.
Carbutt, E. H.
Carington, hn. Colonel W. H. P.
Cartwright, W. C.
Causton, R. K.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cecil, Lord E. H. B. G.
Chamberlain, rt. hn. J.
Chambers, Sir T.
Chaplin, H.
Cheetham, J. F.
Childers, rt. hn. H. C. E.
Christie, W. L.
Clarke, E.
Clarke, J. C.
Clive, Col. hon. G. W.
Close, M. C.
Cobbold, T. C.
Coddington, W.
Cohen, A.
Compton, F.
Corbett, J.
Corry, J. P.
Cotes, C. C.
Cotton, W. J. R.
Courtauld, G.
Courtney, L. H.
Cowan, J.
Cowper, hon. H. F.
Creyke, R.
Crichton, Viscount
Cropper, J.
Cross, rt. hn. Sir R. A.
Crum, A.
Cubitt, rt. hon. G.
Cunliffe, Sir R. A.
Currie, D.
Dalrymple, C.
Davenport, H. T.
Davenport, W. B.
Davey, H.
Davies, D.
Davies, R.
Davies, W.
Dawnay, Col. hn. L. P.
De Ferrieres, Baron
De Worms, Baron H.
Digby, Col. hon. E.
Dilke, A. W.
Dilke, Sir C. W.
Dillwyn, L. L.
Dixon-Hartland, F. D.
Dodds, J.
Dodson, rt. hn. J. G.
Douglas, A. Akers-
Duckham, T.
Duff, rt. hon. M. E. G.
Duff, R. W.
Dundas, hon. J. C.
Dyke, rt. hn. Sir W. H.
Earp, T.
Edwards, H.
Edwards, P.
Egerton, Adm. hon. F.
Egerton, hon. W.
Elcho, Lord
Elliot, hon. A. R. D.
Ennis, Sir J.
Errington, G.
Evans, T. W.
Ewart, W.
Ewing, A. O.
Fairbairn, Sir A.
Farquharson, Dr. R.
Fawcett, rt. hon. H.
Feilden, Major-General R. J.
Fellowes, W. H.
Fenwick-Bisset, M.
Ferguson, R.
Ffolkes, Sir W. H. B.
Filmer, Sir E.
Fitzmaurice, Lord E.
Fitzwilliam, hn. C. W.
Fitzwilliam, hn. H. W.
Fletcher, Sir H.
Folkestone, Viscount
Forster, Sir C.
Forster, rt. hon. W. E.
Fort, R.
Fowler, H. H.
Fowler, W.
Fremantle, hon. T. F.
Fry, L.
Fry, T.
Galway, Viscount
Gardner, R. Richardson-
Gibson, rt. hon. E.
Gladstone, rt. hn. W.E.
Gladstone, H. J.
Gladstone, W. H.
Glyn, hon. S. C.
Goldney, Sir G.
Gordon, Sir A.
Gower, hon. E. F. L.
Grafton, F. W.
Grant, A.
Grant, D.
Grant, Sir G. M.
Greer, T.
Gregory, G. B.
Grenfell, W. H.
Grey, A. H. G.
Guest, M. J.
Gurdon, R. T.
Halsey, T. F.
Hamilton, Lord C. J.
Hamilton, right hon. Lord G.
Hamilton, J. G. C.
Harcourt, E. W.
Harcourt, rt. hon. Sir W. G. V. V.
Hardcastle, J. A.
Hartington, Marq. of
Harvey, Sir R. B.
Hastings, G. W.
Havelock-Allan, Sir H.
Hay, rt. hon. Admiral Sir J. C. D.
Hayter, Sir A. D.
Helmsley, Viscount
Henderson, F.
Heneage, E.
Henry, M.
Herbert, hon. S.
Herschell, Sir F.
Hibbert, J. T.
Hildyard, T. B. T.
Hill, Lord A. W.
Hill, T. R.
Hinchingbrook, Visc.
Holker, Sir J.
Holland, Sir H. T.
Hollond, J. R.
Holms, J.
Home, Capt. D. M.
Hope, rt. hn. A. J. B. B.
Hutchinson, J. D.
Illingworth, A.
Inderwick, F. A.
Jackson, W. L.
James, W. H.
James, Sir H.
Jardine, R.
Jenkins, D. J.
Johnson, E.
Johnson, W. M.
Joicey, Colonel J.
Kennard, Col. E. H.
Kennaway, Sir J. H.
Kinnear, J.
Knightley, Sir R.
Laing, S.
Lambton, hon. F. W.
Lawrence, Sir J. C.
Lawrence, Sir T.
Lawrence, W.
Laycock, R.
Lea, T.
Leatham, E. A.
Leatham, W. H.
Lechmere, Sir E. A. H.
Lefevre, rt. hn. G. J. S.
Leighton, Sir B.
Leighton, S.
Levett, T. J.
Lewis, C. E.
Lewisham, Viscount
Lindsay, Col. R. L.
Litton, E. F.
Lloyd, M.
Loder, R.
Lowther, hon. W.
Lubbock, Sir J.
Lusk, Sir A.
Lyons, R. D.
Mackie, R. B.
Mackintosh, C. F.
Macliver, P. S.
Macnaghten, E.
M'Arthur, A.
M'Clure, Sir T.
M'Garel-Hogg, Sir J.
M'Lagan, P.
M'Laren, C. B. B.
M'Laren, J.
M'Minnies, J. G.
Makins, Colonel W. T.
Manners, rt. hn. Lord J.
Mappin, F. T.
Marjoribanks, Sir D. C.
Marjoribanks, E.
Marriott, W. T.
Martin, R. B.
Mason, H.
Massey, rt. hon. W. N.
Master, T. W. C.
Maxwell, Sir H. E.
Maxwell-Heron, J.
Milbank, F. A.
Mills, Sir C. H.
Monckton, F.
Monk, C. J.
Moreton, Lord
Morgan, hon. F.
Morgan, rt. hn. G. O.
Morley, A.
Morley, S.
Moss, R.
Mowbray, rt. hon. Sir J. R.
Mulholland, J.
Mundella, rt. hon. A. J.
Murray, C. J.
Musgrave, Sir R. C.
Newdegate, C. N.
Nicholson, W.
Nicholson, W. N.
Noel, E.
North, Colonel J. S.
Northcote, H. S.
Northcote, rt. hon. Sir S. H.
Onslow, D.
Otway, A.
Paget, R. H.
Paget, T. T.
Palmer, C. M.
Palmer, G.
Palmer, J. H.
Parker, C. S.
Patrick, R. W. C.
Pease, A.
Pease, J. W.
Peddie, J. D.
Peek, Sir H.
Peel, A. W.
Pender, J.
Pennington, F.
Phipps, C. N. P.
Playfair, rt. hon. L.
Plunket, rt. hon. D. R.
Portman, hn. W. H. B.
Potter, T. B.
Powell, F. S.
Powell, W.
Powell, W. R. H.
Price, Captain G. E.
Pugh, L. P.
Puleston, J. H.
Pulley, J.
Ralli, P.
Ramsay, J.
Ramsden, Sir J.
Rankin, J.
Rathbone, W.
Reed, Sir E. J.
Reid, R. T.
Rendel, S.
Rendlesham, Lord
Repton, G. W.
Richard, H.
Richardson, T.
Ritchie, C. T.
Roberts, J.
Robertson, H.
Rodwell, B. B. H.
Rogers, J. E. T.
Rolls, J. A.
Ross, A. H.
Round, J.

Roundell, C. S.
Russell, Lord A.
Russell, Sir C.
Russell, G. W. E.
Rylands, P.
St. Aubyn, W. M.
Sandon, Viscount
Sclater-Booth, rt.hn.G.
Scott, Lord H.
Scott, M. D.
Seely, C. (Lincoln)
Seely, C. (Nottingham)
Severne, J. E.
Simon, Serjeant J.
Sinclair, Sir J. G. T.
Smith, A.
Smith, E.
Smith, rt. hon. W. H.
Spencer, hon. C. R.
Stanhope, hon. E.
Stanley, rt. hn. Col. F.
Stanley, hon. E. L.
Stansfeld, rt. hon. J.
Stanton, W. J.
Stevenson, J. C.
Stewart, J.
Summers, W.
Sykes, C.
Talbot, J. G.
Tavistock, Marquess of
Tennant, C.
Thomasson, J. P.
Thompson, T. C.
Thornhill, T.
Thynne, Lord H. F.
Tillett, J. H.
Tollemache, hon. W. F.
Torrens, W. T. M'C.
Tottenham, A. L.
Tracy, hon. F. S. A. Hanbury-
Trevelyan, G. O.
Verney, Sir H.
Villiers, rt. hon. C. P.
Vivian, A. P.
Vivian, H. H.
Walpole, rt. hon. S.
Walrond, Col. W. H.
Walter, J.
Warburton, P. E.
Warton, C. N.
Waterlow, Sir S.
Watney, J.
Waugh, E.
Webster, Dr. J.
Wedderburn, Sir D.
Welby-Gregory, Sir W.
Whalley, G. H.
Whitbread, S.
Whitley, E.
Whitworth, B.
Wiggin, H.
Williams, B. T.
Williams, S. C. E.
Williamson, S.
Wills, W. H.
Wilson, C. H.
Wilson, I.
Wilson, Sir M.
Winn, R.
Wodehouse, E. R.
Woodall, W.
Woolff, S.
Yorke, J. R.

TELLERS.
Grosvenor, Lord R.
Kensington, Lord

NOES.

Callan, P.
Cowen, J.
Labouchere, H.
M'Kenna, Sir J. N.
Martin, P.
O'Shea, W. H.
Synan, E. J.

TELLERS.
Nolan, Major J. P.
Power, R.

MR. SPEAKER: I have to inform the House that several Members who had given their voices with the Noes when the Question was put, had, when the Tellers proceeded to clear the House for the Division, refused to quit their places;—and Mr. Speaker submitted the conduct of such Members to the consideration of the House.

MR. GLADSTONE rose, and said: I rise to a point of Order—[*Cries of* "Chair, Chair!" "Name, Name!"] The right hon. Gentleman resumed his seat without further speech.

MR. SPEAKER: In pursuance of the Resolution of the House, Mr. Parnell will now withdraw.

MR. PARNELL: I respectfully decline, Mr. Speaker, to withdraw. I consider that the course that has been adopted is of an arbitrary character, and is opposed to the Privileges of the Members of this House.

Thereupon Mr. SPEAKER directed the Serjeant-at-Arms to remove Mr. Parnell from the House.

Accordingly, the Serjeant-at-Arms, by the direction of Mr. Speaker, in pursuance of the Resolution of the House, advancing to the hon. Member, invited him to retire.

MR. PARNELL: Sir, I respectfully refuse to withdraw unless I am compelled to do so by superior force.

Then the Serjeant-at-Arms (the principal Door-keeper and Messengers attending) placed his hand upon Mr. Parnell, who thereupon rose and withdrew with the Serjeant-at-Arms.

MR. GLADSTONE: I think it right Sir, to take the quickest possible notice of the communication which has just been made by yourself from the Chair. You have acquainted us with the fact that, during the late division, certain hon. Members, who had challenged the judgment of the House, declined to withdraw from the House and take part in the division. That, I apprehend has been done by hon. Members who were in the House when you put the Question and when you ordered the House to be cleared. We are unaware who those hon. Members are. That is a practical objection towards taking any substantive notice of their proceedings—which, I must say, I respectfully hope will not be repeated. [*Cheers, and cries of* "Yes; it will be!"] If that proceeding should be repeated, I respectfully hope you will support the House, and will find means of preventing a flagrant contempt of the Rules of the House and the Orders of the Chair. I will not prosecute this subject further. If the House thinks fit, I will resume my seat in order to give some other hon. Members an opportunity of expressing their opinion with regard to it. [*Cries* of "Go on!"] I quite understand that I have hit the sentiment of the House in saying that this incident will be seriously noticed hereafter, although we are not in a condition to notice it at the present moment. I will, therefore, do my best to resume the unfortunate sentence that has been bisected and trisected. I will not inflict on the House the whole of that sentence; but I will, for a practical purpose, refer to one portion of it—that is, the closing portion of it, in which I said that the matter, which it was my heavy misfortune to approach, was a matter bristling at every point with polemical considerations and controversial matter that might become, unless great care be taken, a practical impediment to the calm and deliberate consideration of a very serious question——

MR. FINIGAN: Mr. Speaker, Sir, I rise to move that the Prime Minister be no longer heard. [*Cries of* "Order!"] I do so, Sir—["Chair!" *and* "Name, Name!"]

MR. SPEAKER: I regard this as an act of wilful and deliberate Obstruction, and disregard of the authority of the Chair; and I, therefore, Name you, Mr. Finigan, as disregarding the authority of the Chair.

Mr. FINIGAN, Member for Ennis, having been Named by Mr. Speaker as disregarding the authority of the Chair—

Motion made, and Question put, "That Mr. Finigan be suspended from the service of the House during the remainder of this day's sitting."—(*Mr. Gladstone.*)

The House proceeded to a Division.

Lord RICHARD GROSVENOR, one of the Tellers for the Ayes, again came to the Table and stated that he was unable to clear the House, because several Members refused to quit their places.

MR. A. M. SULLIVAN: We contest the legality of this proceeding.

Mr. SPEAKER thereupon directed those Members to follow the direction of the Tellers, and he admonished them that by remaining in the House, they were resisting the authority of the Chair, and cautioned them of the consequences that their conduct might entail upon them; and then Mr. SPEAKER directed that the Division should proceed.

The Tellers declared the numbers:—Ayes 405; Noes 2: Majority 403.—(Div. List, No. 23.)

NOES.

Callan, P.
M'Kenna, Sir J. N.

TELLERS.

Nolan, Major J. P.
Power, R.

Mr. Gladstone

Lord RICHARD GROSVENOR reported to Mr. SPEAKER the names of those Members who had refused to quit their places in the House and take part in the late Division.

Mr. SPEAKER informed the House that those Members whose Names had been reported to him had been cautioned by him, that, by their conduct, they were disregarding the authority of the Chair.

MR. SPEAKER: In pursuance of the Resolution of the House, I have to call upon Mr. Finigan to withdraw.

MR. FINIGAN: Mr. Speaker, I most respectfully decline to withdraw, unless expelled by force.

MR. SPEAKER: I am bound, in pursuance of the said Resolution, to direct the Serjeant to remove Mr. Finigan.

The Serjeant-at-Arms accordingly (the principal Doorkeeper and Messengers attending) advanced, and, placing his hand upon the hon. Member, requested him to withdraw; who refusing, the Serjeant-at-Arms beckoned to his assistants. Whereupon Mr. Finigan arose and withdrew with the Serjeant-at-Arms.

MR. SPEAKER: I have to inform the House that during the Division several Members declined to leave the House and take part in the Division. I called upon them to take part in the Division, and cautioned them that if they declined to take that course, in obedience to the practice of the House, I should consider that they were disregarding the authority of the Chair. I am bound to state that it appears to me that after an admonition of that kind I have no other course open to me but to Name those Members who have disregarded the authority of the Chair, and I now Name them to the House:—

Mr. Barry, Mr. Biggar, Mr. Byrne, Mr. William Corbet, Mr. Daly, Mr. Dawson, Mr. Gill, Mr. Edmond Gray, Mr. Healy, Mr. Lalor, Mr. Leamy, Mr. Leahy, Mr. Justin M'Carthy, Mr. M'Coan, Mr. Marum, Mr. Metge, Mr. Nelson, Mr. Arthur O'Connor, Mr. T. P. O'Connor, The O'Donoghue, The O'Gorman Mahon, Mr. O'Sullivan, Mr. O'Connor Power, Mr. Redmond, Mr. Sexton, Mr. Smithwick, Mr. Alexander Sullivan, and Mr. Timothy Sullivan; and thereupon Mr. SPEAKER severally Named each one of those Members as having disregarded the authority of the Chair.

MR. GLADSTONE: Mr. Speaker, in pursuance of the Order of this House of February, 1880, and in consequence of the declaration you have just made from the Chair, it becomes my duty to make a Motion for the suspension of the following Members (naming them). I have to move that they be severally suspended from the service of the House during the remainder of the day's Sitting.

Motion made, and Question put,

"That Mr. Barry, Mr. Biggar, Mr. Byrne, Mr. William Corbet, Mr. Daly, Mr. Dawson, Mr. Gill, Mr. Edmond Gray, Mr. Healy, Mr. Lalor, Mr. Leamy, Mr. Leahy, Mr. Justin M'Carthy, Mr. M'Coan, Mr. Marum, Mr. Metge, Mr. Nelson, Mr. Arthur O'Connor, Mr. T. P. O'Connor, The O'Donoghue, The O'Gorman Mahon, Mr. O'Sullivan, Mr. O'Connor Power, Mr. Redmond, Mr. Sexton, Mr. Smithwick, Mr. Alexander Sullivan, and Mr. Timothy Sullivan, be severally suspended from the service of the House for the remainder of this day's sitting."—(*Mr. Gladstone.*)

MR. A. J. BALFOUR rose to a point of Order, and inquired of the Speaker whether the House could divide with regard to all the Gentlemen named at once? ["Order!"] In asking that question, he did not mean to express a doubt that all the Gentlemen named were equally guilty.

MR. SPEAKER: It is a question, not of Order, but of convenience.

MR. GORST inquired whether, under the Standing Order referred to by the Prime Minister, the Question to be put must not be the suspension of a single Member, and not of a number of Members?

MR. J. COWEN wished to know whether a Member ought not to be Named twice before he could be suspended?

The House proceeded to a Division.

Lord RICHARD GROSVENOR again reported to Mr. Speaker that certain Members refused to take part in the Division, and to withdraw from their places in the House.

MR. A. M. SULLIVAN: We contest the legality of the whole proceeding.

MR. O'CONNOR POWER: The division is illegal.

MR. SPEAKER repeated to such Members the admonition and caution which he had previously given.

The Tellers reported the numbers:—Ayes 410; Noes 6: Majority 404.—(Div. List, No. 24.)

NOES.

Callan, P.
Cowen, J.
Labouchere, H.
Macdonald, A.
Macfarlane, D. H.
M'Kenna, Sir J. N.

TELLERS.

Nolan, Major J. P.
Power, R.

Lord RICHARD GROSVENOR also reported to Mr. Speaker that Mr. Molloy, Member for the King's County, had, in addition to the other Members who had refused to take part in the late Division, declined to withdraw from his place in the House.

MR. SPEAKER: In accordance with the Resolution of the House, I have now to direct Mr. Barry to withdraw.

MR. BARRY: I respectfully decline to withdraw unless removed by force.

MR. SPEAKER then directed the Serjeant-at-Arms to remove Mr. Barry.

The Serjeant-at-Arms (the principal Doorkeeper and Messengers attending), accordingly removed Mr. Barry from the House.

MR. SPEAKER: In accordance with the Resolution of the House, I have now to direct Mr. Biggar to withdraw.

MR. BIGGAR: Mr. Speaker, I beg leave to decline.

Then the Serjeant-at-Arms, by the direction of Mr. Speaker, in pursuance of the Resolution of the House, removed Mr. Biggar from the House.

Mr. SPEAKER then directed Mr. BYRNE to withdraw.

MR. BYRNE: Mr. Speaker, I very respectfully decline to withdraw.

Mr. BYRNE was then, by direction of Mr. Speaker, in pursuance of the Resolution of the House, removed by the Serjeant-at-Arms from the House.

Mr. WILLIAM CORBET, Mr. DALY, Mr. DAWSON, and Mr. GILL were severally directed by Mr. Speaker to withdraw, and refusing to do so, were, by the direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed Mr. EDMOND GRAY to withdraw.

MR. GRAY: I decline in any way to recognize these illegal proceedings, and to withdraw without the application of force.

Mr. GRAY was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed Mr. HEALY to withdraw, who, refusing to do so, was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed Mr. LALOR to withdraw.

MR. LALOR: I must decline to withdraw unless compelled by superior force.

Mr. LALOR was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed Mr. LEAMY to withdraw.

MR. LEAMY: I beg respectfully to decline to withdraw from this House, to which I have been sent by the people of Waterford to represent them, unless compelled by superior force.

Mr. LEAMY was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed Mr. LEAHY to withdraw.

MR. LEAHY: Mr. Speaker, I decline to withdraw.

Mr. LEAHY was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed Mr. JUSTIN M'CARTHY to withdraw.

MR. JUSTIN M'CARTHY: As I believe these whole proceedings are unconstitutional and illegal, I decline respectfully to leave the House unless constrained by superior force.

Mr. JUSTIN M'CARTHY was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed Mr. M'COAN to withdraw.

MR. M'COAN: I beg respectfully to decline unless removed by superior force.

Mr. M'COAN was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed Mr. MARUM to withdraw.

MR. MARUM: I decline to leave unless compelled by superior force.

Mr. MARUM was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed Mr. METGE to withdraw.

MR. METGE: Mr. Speaker, I protest against this act of English injustice to Ireland, and I refuse to leave the House.

Mr. METGE was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed Mr. NELSON to withdraw.

MR. NELSON: Mr. Speaker, I respectfully decline to retire unless removed by force.

Mr. NELSON was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed Mr. ARTHUR O'CONNOR to withdraw.

MR. ARTHUR O'CONNOR: With great respect, I protest against this proceeding as a violation of my rights as a Member of the House, and I decline to withdraw unless compelled.

Mr. ARTHUR O'CONNOR was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed Mr. T. P. O'CONNOR to withdraw.

MR. T. P. O'CONNOR: Mr. Speaker, I protest against all these proceedings as unjust and tyrannical, and, I am afraid, leading to bad consequences; and I decline to leave the House unless compelled by superior force.

Mr. T. P. O'CONNOR was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed The DONOGHUE to withdraw.

THE O'DONOGHUE: Mr. Speaker, as I am not conscious of having done anything to disqualify me from sitting here as the Representative of the electors of Tralee, I most respectfully decline to withdraw unless removed.

The O'DONOGHUE was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed The O'GORMAN MAHON to withdraw.

THE O'GORMAN MAHON: Mr. Speaker, it is 50 years ago since I was sent here by the same constituency (Clare) which I have the honour to represent now, and upon their part, and upon the part of the "county of emancipation," I decline to stir from this House unless removed by superior force.

The O'GORMAN MAHON was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed Mr. O'SULLIVAN to withdraw.

MR. O'SULLIVAN: This will not be the first time that I have been illegally arrested by British authority; but it will not deter me from raising my voice on all occasions against what is unjust and unfair; and, therefore, I will not leave the House unless compelled.

Mr. O'SULLIVAN was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed Mr. O'CONNOR POWER to withdraw.

MR. O'CONNOR POWER: I will withdraw only in obedience to the law of force which you have established in place of legality in this Assembly.

Mr. O'CONNOR POWER was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed Mr. REDMOND to withdraw.

MR. REDMOND: As I regard the whole of these proceedings as unmitigated despotism, I beg respectfully to decline to withdraw.

Mr. REDMOND was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed Mr. SEXTON to withdraw.

MR. SEXTON: I denounce these proceedings as unconstitutional and tyrannical, and I shall not desist from the assertion of my right as an elected Representative of the people unless compelled to do so by superior force.

Mr. SEXTON was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SMITHWICK was directed by Mr. SPEAKER to withdraw; and, refusing to do so, was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed Mr. A. M. SULLIVAN to withdraw.

MR. A. M. SULLIVAN: Mr. Speaker, you have overthrown the ancient liberties of the House, and have established a despotism. I decline to withdraw.

Mr. A. M. SULLIVAN was, by direction of Mr. Speaker, removed by the Serjeant-at-Arms from the House.

Mr. SPEAKER then directed Mr. T. D. SULLIVAN to withdraw.

MR. T. D. SULLIVAN: As I regard these proceedings as an outrage on the rights of Members of Parliament, I respectfully decline to withdraw, except under compulsion.

Mr. SULLIVAN was, by direction of Mr. SPEAKER, removed by the Serjeant-at-Arms from the House.

MR. SPEAKER: I have to inform the House that the Tellers have reported to me that Mr. Molloy was present, but took no part in the last Division. I have no other course but to Name Mr. Molloy as disregarding the authority of the Chair.

MR. GLADSTONE: You, Sir, having Named Mr. Molloy under the Order of February, 1880, I move that he be suspended from the service of the House during the remainder of this day's Sitting.

Motion made, and Question put.

Resolved, That Mr. Molloy be suspended from the service of the House during the remainder of this day's sitting.—(*Mr. Gladstone.*)

[Mr. MOLLOY had already withdrawn from the House.]

MR. GLADSTONE then rose to move his Resolution, but had uttered a few words only, when——

MR. O'KELLY moved that the Prime Minister be no longer heard.

MR. SPEAKER: I Name Mr. O'Kelly as disregarding the authority of the Chair.

MR. GLADSTONE: You, Sir, having Named Mr. O'Kelly——

MR. CALLAN: I rise to Order. Unless my hearing is defective, no person has been Named; and I presume that until some Member of the House has been so Named, it is not competent for the Prime Minister, notwithstanding his despotic disposition, to make any such Motion.

MR. SPEAKER: I Named Mr. O'Kelly as disregarding the authority of the Chair.

MR. GLADSTONE: You, Sir, having Named Mr. O'Kelly as having disregarded the authority of the Chair, under the Order of February, 1880, I move that he be suspended from the service of the House during the remainder of this day's Sitting.

Motion made, and Question put;—and, after the voices had been given, Mr. SPEAKER declared that, in his opinion, "the Ayes have it;" Mr. CALLAN alone declaring for the "Noes." But upon a Division being directed, no second Teller appearing for the Noes, Mr. SPEAKER declared that "the Ayes have it."

Resolved, That Mr. O'Kelly be suspended from the service of the House during the remainder of this day's sitting.—(*Mr. Gladstone.*)

Mr. SPEAKER thereupon directed Mr. O'Kelly to withdraw, which he having refused to do, the Serjeant-at-Arms, acting by direction of Mr. Speaker, removed Mr. O'Kelly from the House.

MR. GLADSTONE again rose to move his Resolution——

MR. O'DONNELL: I move that the Prime Minister be no longer heard, in order to prevent his continued calumnies of my country.

MR. SPEAKER: I have to Name you, Mr. O'Donnell, as wilfully obstructing the Business of the House and disregarding the authority of the Chair.

Motion made, and Question put, "That Mr. O'Donnell be suspended from the service of the House during the remainder of this day's sitting."—(*Mr. Gladstone.*)

The House *divided:*—Ayes 311; Noe 1: Majority 310.—(Div. List, No. 25.)

NOE.

Nolan, Major J. P.

TELLERS.

Blake, T.
Callan, P.

Lord RICHARD GROSVENOR stated that Mr. Richard Power and Mr. O'Shaughnessy had refused to leave their places in the House and take part in the late Divison.

MR. SPEAKER thereupon directed Mr. O'Donnell to withdraw.

MR. O'DONNELL: With great respect, I decline to withdraw, as a protest against Liberal tyranny and unjust ruling.

The Serjeant-at-Arms accordingly, upon Mr. Speaker's direction, removed Mr. O'Donnell from the House.

Mr. SPEAKER informed the House that Mr. Richard Power and Mr. O'Shaughnessy had been admonished by him, and cautioned for their conduct in refusing to take part in the late Division; and then Mr. Speaker Named Mr. Richard Power and Mr. O'Shaughnessy as having disregarded the authority of the Chair.

Resolved, That Mr. Richard Power and Mr. O'Shaughnessy be suspended from the service of the House during the remainder of this day's sitting.—(*Mr. Gladstone.*)

Mr. SPEAKER thereupon directed Mr. Richard Power and Mr. O'Shaughnessy severally to withdraw, which direction each Member having refused to obey, the Serjeant at Arms, acting upon Mr. Speaker's direction, removed them from the House.

MR. GLADSTONE, resuming, said: I have already said, Sir, that I dismiss from the purview of my duty on this occasion any review of the scenes that have lately taken place; but, in saying that, do not let it be supposed I, for one moment, imply that, in my opinion, they have no bearing upon the proposals to which I invite the attention of the House. On the contrary, I trust that their silent eloquence will have a large influence on the judgment of the House, and the course which it may be inclined to take with regard to the proposals of the Government. My intention is to avoid altogether epithets of praise or blame. Nothing can be more widely divergent than the opinions prevalent among the majority and the minority as to the conduct of one another, and as to the interests of which each are respectively in charge. But with these matters I do not intend to meddle in the slightest degree. They form no part of my case. My case is one that rests upon facts that are capable of being presented in the very driest form to the notice of the House. I am able to renounce, for the purposes of the present occasion, all review of the conduct of individuals; and I must endeavour to describe, in the driest terms I can command, what is the situation of the House. It will be agreed that the responsibilities of this House are measured by its powers; and as to its powers, the very first of them, I may say, in the order of nature, are its powers over its own Members for the regulation of its own proceedings. Our position, I may briefly remind the House, is altogether peculiar, and no just analogies—at all events, no sufficient analogies—can be found to apply to it from the practice of any other country in the world. There is no other country in the world in which for two or three centuries a Parliament has laboured steadily from year to year, in the face of overweening power, to build up by slow degrees a fabric of defence against that overweening power, for the purpose of maintaining and handing down intact that most precious rule of perfect liberty of speech, to which it is impossible to attach too high a price, and with respect to which we make no other demand than this—that it shall be exercised, not according to what we think reasonable, not according to what we think moderate, but simply according to the possibilities that must limit the condition and the action of a Representative Assembly. But there is another point equally vital, which it is necessary to bear in mind, if we wish to measure and gauge accurately the position of this House, as compared with other Assemblies. Other Assemblies have duties that are important, indeed; but in the mass—in the bulk—they are trifles as light as air in comparison with the duties of the British House of Commons. The British House of Commons has undertaken work with which the shoulders of human beings at any period of history and in any country in the world never have been charged. The consequence is that the very mass and amount of these duties is the measure of your weakness. Obstruction elsewhere is a jest and a plaything; Obstruction here has it in its power to place fatal, insurmountable obstacles in the way of your discharging your primary obligations. Why? Because, your duties being so many, the insufficiency of human strength, under the most favourable circumstances, places you at the mercy of those who may think fit, in the discharge of what they term their conscientious obligations, to use the Rules of debate for purposes to which they are easily capable of being applied—for the purpose of blocking the way over which you have to travel, and of rendering it impossible, within the limits of the time accorded to us as human beings, to attain to the essential matters for the transaction of which we are sent here. Liberty of speech, Sir, is not to be depreciated in anything that we say or do; but it has to be addressed to a certain end—namely, the performance of public duty; and if the liberty be so used as to render the performance of that duty impossible, it must be brought within such limits—I do not say as to licence, for that we have never touched—as those who have been within this Chamber to-night may very well know—as not to debar us absolutely from fulfilling the first duties of our Parliamentary existence. And it is the first conditions of Parliamentary existence for which we are now struggling. It is not in any spirit of optimism; it is not that we may clear the road of our arrears; it is not that we may come to an ideal state, that we now propose the alteration of your Rules. It is that we may not utterly fail in that which is the very first and most elementary portion of our task; it is that we may attain to the first condition of dignity—nay, more, of decency; and that we may not be compelled to render such an account of our proceedings to the country and to our constituencies as would cover every one of us, individually as well as collectively, with condemnation and dishonour. What are the facts, briefly and drily stated, of the situation before us? Sometimes it appears to be supposed, or rather taken for granted, in Questions put in this House, that those who are invested with the powers of government in this country from time to time have some faculty confided to them, by the exercise of which they can manufacture time as a manufacturer manufactures yards of cotton. I am inclined to think at times that if we could reverse the proceedings of a wise Pope, and recover those 11 days that he lost for us, by obliging the Calendar to conform to the laws of astronomy, those 11 days might enable us to make some way with the arrears of Business. But has the House ever considered what are the days and hours at our command? First, let it be said that it is not a charge of indolence that could ever be brought against the British House of Commons. It is confessed and admitted on all hands—I do not speak of this Parliament, but of all —that there is no Legislative Assembly in the world that works itself so pitilessly, so remorselessly, as the British House of Commons. If that be so, it follows that the measure of what is done by the House is somewhere about the utmost measure of human strength and capacity. But let us go into the regions of possibility; let us, with an enormous licence, imagine for a moment that it was possible for us to devote every day in the year to the work to which we now usually devote six or seven months, and that out of every 24 hours you could give 12 to the discharge of your Parliamentary duties, and if you did so the calculation is a very simple one. Deduct one-seventh for every seventh day—you have very good reasons for deducting that seventh day, for unless you did it, most of you would be dead before the end of the first year—there are about 3,750 hours, which might, it is conceivable, be used for the purposes of Parliament at all times. And if 650 Members of this House were each of them to plead the very moderate power of addressing the House for six hours in the course of every Session—that is no very lengthened period of time—six times 650 gives 3,900 hours, or 250 more than, upon a supposition almost impossible, it could be made to yield. What is the meaning of the language that we hear about the liberties of speech? The liberties of speech! Liberty as to the quality of speech—Yes! Let none endeavour—unless under necessity, which we have never had, and are not likely to have the faintest glimmer — let none endeavour to narrow the liberal bounds that surround us in that respect. And as to the quantity of speech, it must be regulated, not by the fancies of men, but by the necessities of the case, and in accordance with the discharge of the duties which we are sent here to discharge. Our position is wholly unexampled; and I do not think I exaggerate when I say that the question of the adoption of new Rules to increase the power of the House, and to increase it effectually over those of its Members, who may be unwilling to recognize that power, is now for us a question of honour or dishonour, and in that sense—the only true sense—a question of life or death for the Parliament. How long have we been here? We have entered on the fifth week of the Session. We have had four such weeks as never opened, I believe, a Parliamentary Session in this country, for the extent and continuity of their labours. One-sixth of the whole Session gone—irrevocably gone! And what progress have we made? Our progress is this—that Her Majesty having called us together, and, in the language of Constitutional Government, having told us that a subject, in her judgment, of the utmost moment, connected with the fulfilment of the very first duties of civilized society—namely, the maintenance of peace and order in Ireland — demanded our prompt and effectual attention, the measure of the prompt and effectual attention that we have been able to give to the subject is that now in the fifth week of the Session —one-sixth of the time that will probably be at our disposal having gone —we have made just one step in the direction in which we intend to go, having passed one single initiatory stage of a Bill; and yet this has not been for want of attention or effort on the part of any Party in this House. I take this opportunity of offering to hon. Gentlemen opposite my respectful thanks, on the part of Her Majesty's Government, for the fidelity, and self-denial, and self-sacrifice with which they have come here, night after night —aye, and through night after night— to perform what they deemed to be their duty to their country. My thanks are, at least, equally due to all those whose political confidence it is our highest honour to possess, and from whom, on the present occasion, we have received the most loyal and the most enthusiastic support. But with all these efforts of all persons of authority, and of almost all private and individual Members of the House, the result is that, under a pressure of the very highest the Executive Government could put on to secure the despatch of work, the despatch which has been effected is, that before approaching one of our ordinary duties, before attempting to touch upon any special questions of the greatest importance, such as what are termed remedial measures, the vital and momentous question, for instance, of land legislation for Ireland —before we could whisper a word in the House of Commons as to the character and nature of those measures, we find ourselves entering upon the fifth week of the Session with only the sorry record of our labours to place before the world of a single stage of a single Bill, and that, necessarily, a measure of coercion, though also one of protection for Ireland, which we regard, I will not say as securing her welfare, but as securing to us the opportunity of opening a fair field from which we may legislate for her with advantage. What has been the further result of the action by which this delay has been occasioned? Private Members have been shut out from opportunities of bringing forward questions in which they take an interest; and I can assure the House that no one can feel more deeply than I the severity of the sacrifice which we have called upon them to make, and no one was more unwilling to make the claim, and accept the boon generously as it has been given. All that they have done, however, has been of avail only to secure for us that mere unit of accomplished labour to which I have referred. Eighteen nights, including one Sitting of 22 hours, and another of over 40— [An hon. MEMBER: 41]—have been devoted entirely to a single subject, with the exception of the first night—that of the debate on the Address—which must, in any case, have been occupied by Members in the exercise of their just right of criticizing the Royal Speech and the conduct of the Government during the Recess, and another to the discussion of the affairs of the Transvaal. With those exceptions, every night has been occupied with the direct aim of reaching the result that has now been brought about, and almost invariably on the same class of topics. Two nights, indeed, were occupied with the Electoral Franchise in Ireland, and that subject was raised wholly and solely in the interest of what is called, in the scientific language of the day, the Department of Obstruction. It was not from the value attached to the Electoral Franchises in Ireland, or a claim that they were so urgent, that they required nights to be consumed in discussing them when we had an Irish Land Bill; but it was for the purpose of contributing to that aim which I now call the House to take into its firm determination to defeat. I need not dwell upon the fact that, as regards the homelier subjects of Supply and the Mutiny Act, and every other necessary matter, we have not stirred a step. Yet these, though they may not constitute the glory of Parliament, are what light and water are to a well-organized and healthy household. These conditions we have not been able to touch—conditions which we cannot longer refrain from touching, and conditions which, when we touch, the very attempt to touch will infinitely multiply the means of Obstruction, unless you, by a wise vigour, interpose, and give the securities that the case demands. Well, and by whom, let me ask, has this been done to which I have called the attention of the House? It has been done in spite of the efforts of the majority of this House. I suppose I may say, roughly, that about 500 Members of the House, of all Parties, have recorded their votes freely and repeatedly against Obstructive procedure—the proceedings which have brought us to the present pass. I will not even call them Obstructive proceedings; I will call them —I do not want to give unnecessary offence—claims of speech unlimited in the multitude of the times of its repetition, which, under the name of liberty of speech and privilege, have been an effective instrument, and have placed us in our present predicament. And what have been the forces arrayed in urging the demands which were thus made? What is the authority with which they have been pressed upon us? Have these demands been backed by the voice of the nation? There have been times when very small minorities in this House have represented the national feeling — times happily passed away never to return. Securities have been taken in the laws and institutions of the country which render such a contingency absolutely impossible. But I doubt whether any of those who have not reflected on the subject are aware how slight is the authority in comparison with that wielded by minorities in Parliament of old which can be pleaded in defence, or in palliation of any of these proceedings. Who, Sir, have shared in them? Not the Representatives of Scotland. Unanimously every man who represents a Scotch constituency, knowing the sentiments of his countrymen, as well as giving effect to his own convictions, has been opposed to these proceedings. Not the Representatives of Wales. Wales, like Scotland, has been unanimous in opposing them. Not the Representatives of England. Of the counties of England, not a single Representative has been found on one single occasion joining in those operations. Of the great towns of England, one single Representative there has been that has approved the policy of resistance—I allude to the hon. Member for Newcastle (Mr. Cowen)—but he has, I believe, held himself aloof from what are called in common parlance Obstructive Divisions and debates. No one, I may add, has spoken with greater terseness and point and vigour —and I am bound to say it is no more than a debt of justice — against this policy for nullifying the existence and duties of Parliament through the pretended medium of privilege of speech than the hon. Gentleman the junior Member for the town of Northampton (Mr. Bradlaugh). In fact, I believe there is but the casual exception of one single English Representative who has had any share in the proceedings which are the sole cause of the position in which we are now placed. But there is a practice encouraged very much in one quarter of the House, and allowed to pass current far too freely—the practice of speaking of "the Irish Members." If it were true that it was the Irish Members who had obstructed, we must all feel that it constituted at least a case of difficulty. The case of difficulty entirely disappears when, examining the matter, we find that by the unerring testimony of figures this has not been done by the Irish Members—unless, indeed, by the Irish Members you only mean a minority of the Irish Members—a body that I believe cannot, by any fair licence of calculation, be extended beyond 46. These have been the agents—believing themselves to be actuated by the highest motives—I do not question that for a moment—these have been the agents in bringing about this interference with the honour, duties, and efficiency of Parliament. I suppose it will not be disputed that 46 is less than a moiety of the 103 Irish Members actually sitting in this House. That is the case as to the situation, and as to the means by which that situation has been brought about. Is the force of the motive with which I address you a common and an ordinary force? Is the appeal, I may say the demand, which I now urge upon you, a common and ordinary demand? Do I exaggerate when I say that this is no trifling question? no contest of a light and secondary nature, so far as the House of Commons is concerned? *Neque enim levia aut ludicra petuntur præmia, sed certant de vita et sanguine.* It is a question whether you shall do your duty — that duty which the country has sent you here to discharge. What man here, I would ask, possesses a spirit so little elevated that he would willingly come here, occupy time, and hold station and position and sit as the *simulacrum* of a legislator, knowing the vast demands which the interests of the nation make upon him, and yet go on contentedly while conscious that it was impossible for him to meet those demands, even in a measured and reasonable degree. My belief is this—and I hope I shall not state it too strongly, though I own I should use strong words in referring to the condition of the House—that we have been passing through the stages of pain, embarrassment, and even of discredit, and that the stages which remain, unless you arrest this fatal descent, are the stages of just ridicule, of disgrace, and of contempt. That being so, let us now come to the question of the terms of my Motion. In a situation of that kind, it appears to me that almost the first dictate of common sense is that the remedy which is most prompt and most effectual—so as it be not unjust —is the best one; and that to sit here bandying to and fro small arguments upon secondary questions, as may be properly done in a Committee of the House or elsewhere, when what may be called speculative improvements and almost ideal standards are are in view, would be a course unworthy of this House. There are, I believe, but two modes of procedure, which have been recently referred to by yourself from the Chair. The one is arming this House with strong and efficient powers of intervention with the course of its own proceedings from time to time; the other is making the experiment of placing power over our procedure in the hands of the Speaker. Let me say here that, as regards this subject, we have drawn largely on the generous confidence of our friends. We have not been able, amid the circumstances of the times, to hold with them the communication we could have wished. It would have been our desire and duty to ascertain, as exactly as we could, in what current their inclinations and opinions went. We have been obliged to trust to their generous and loyal confidence. With regard to others, upon whom we have less claim, and who, at the same time, have great claim on us, on the ground of the public interests involved, we have made greater efforts; and I do not hesitate to say it was the first intention of the Government to move in one of those directions which you, Sir, have described—the direction of arming the majority with greater and more efficient powers, to be used from time to time; and we only desisted from it when we found it was not likely to be acceptable to a large section of the Members of this House, whom we were desirous, if we could, to keep in hearty union with ourselves on a subject which touches the common interests of us all. We are not ashamed to own that we altered our method of procedure; and that we reverted to that mode of procedure for which, I believe, a great deal is also to be said on the merits—namely, the method of arming the Chair with a large discretion. Unless we arm the Chair with a large discretion, there is no use in arming it at all. I decline, for one, to be a party to ineffective proceedings. I could bear going on and suffering, if it were the will of the House to persevere and suffer, for a long time. We have suffered for a considerable time, and it has been by no impatience of mine that that term has been brought to a close; bnt in deference to what I believe to be the general and also the just feeling of the House. What, Sir, has been your conduct? You, Sir, have watched these debates with a vigilance which imposes, I must say, too great a strain upon average and ordinary human nature. In the most intelligent attempts to draw the invisible line between the relevant and irrelevant, you have observed, Sir, a temper both remarkable and conspicuous. There are those among us who have been, if I may say so, almost impatient of your patience—little knowing, under the surface of that patience, what resolution and what courage there lay hid. Believing, Sir, that you have the entire confidence of the House, we ask the House to lay down this Rule—that when the process is gone through—which process shall be carefully guarded to prevent the oppression of one Party by another—then a state of things shall for a time come into existence under which the House shall be content to repose in your hands its power over its own procedure, believing that thus, and as I believe personally thus only, is it possible to meet the arts, both of direct and the subtler art of indirect Obstruction. The Motion that I have made explains itself to those who will have the patience to peruse it. The enacting part of it comes to this—that the power of the House for the regulation of its Business on the—

> "Several stages of Bills and upon Motions, and all other matters, shall be and remain with the Speaker until the Speaker shall declare that the state of Public Business is no longer urgent."

But I am not now speaking of these last words. I am only speaking of the essential part of the provisions—the constitution—the state of things in which, for a time, on grounds to be severely tested by the vote of a very large majority of the House, the House shall be content to make over its powers and to be guided by Mr. Speaker. I feel that the Speaker would have it in his discretion to lay before us the Rules which he had laid down for himself in the exercise of those powers. I feel that in laying down those Rules there will be an elasticity in this form of procedure which the other form of procedure for strengthening the hands of the majority would probably not be found to possess. And as, on the one hand, it would and must be necessary, when we make any enlargement of those powers, to place some confidence in the hands of the majority, so if we ask the House to repose power in the hands of the Speaker, we must also repose in him the confidence we should have reposed in the majority. Our object is to maintain, as far as we can, the moral unanimity of the House. I have noticed Amendments placed upon the Paper proposing variations from our proposed method of procedure. The Leader of the Opposition has proposed Amendments which vary from our proposal in four particulars. The first is, that the proposal can only be made by a Minister of the Crown; the second is, that it shall only affect the proceedings of the House in relation to some particular Bill, Motion, or other Question; the third is, that the majority by which the new powers or restrictions are to be introduced shall be a majority consisting of not less than one-half of the whole House; the fourth is, that the special powers shall continue to exist until such Bill, Motion, or Question shall be disposed of, or until the House shall, by a like majority, and on Notice given, otherwise determine. Of course, we knew nothing of those Resolutions until they were placed on the Notice Paper; and it has not been an easy matter for us to give them consideration under the limitations of time and the necessities of communication which such subjects require. Where we can clearly see our way we will at once, without making any difficulty at all, meet the right hon. Baronet. Where we cannot see our way, where we are honestly in doubt, or where we anticipate, as in one case, insurmountable difficulties, I hope they will show a similar disposition to meet us. As to the suggestion that the proposal should only be made by a Minister of the Crown, I think it is open to a great deal of discussion both ways. I am inclined to view the suggestion with a great deal of favour; but I am also inclined to view it with some little jealousy. At the same time, I would ask those who do me the favour to pay any regard to my conclusion on the matter, to lay aside that jealousy to some extent—because, after all, this proposal must necessarily be a proposal, in its essence, to a considerable degree experimental; and because this proposal is submitted to you by a Minister of the Crown, speaking to you with the authority of his position, and speaking to you under circumstances which, I will venture to say, rarely can be found. Consequently, I propose the Motion in the terms in which it stands on the Paper, with words put down to attain the object of the Amendment, by saying, "If, upon Notice given, a Motion be made by a Minister of the Crown." Well, then, Sir, there is another of the changes proposed to which certainly we could not accede in its terms as it stands—that which requires an absolute majority of the entire House to decide any alteration of this kind in your procedure. Over a large portion of the Session it would make it practically impossible to take action. The Resolution could not be carried; but if all that were meant were this—that a number should be inserted quite large enough to prevent a Government from abusing its powers at a time when it acquires an unusual command over Public Business—as, for example, by inserting a number which would require that the majority should consist of not less than 200, so that there must be a House of 200, I would not say that would not abate my objection to it. I think it would in such circumstances; but still not in circumstances of the utmost gravity. But for the sake of obtaining that concord which, next to efficiency and justice, we covet above all things, I think we would accede to that. If I do not now propose it, it is because it differs from what is here set down in the Amendment; and, consequently, I do not know it would have the effect I desire. Then there is another part of the Amendment with the purpose of which, I must confess, I very strongly sympathize, and that is — though I think the words have probably been chosen somewhat hastily, and might be so modified as more fully to attain the purpose — the Amendment at the close of the Motion of my right hon. Friend—

> "Until such Bill, Motion, or Question, has been disposed of, or until the House shall, by a like majority, and on Notice given otherwise determine."

The essence of that is evidently that there shall be not one mode, but two modes of bringing this special state of things about, and to lighten the Speaker's responsibility, while not depriving the House of the advantage of the exercise of its judgment. I am going to propose other words; but they are words that Gentlemen will see have not the effect of crippling, but of widening, the powers for which they ask. My words would be this—Our Motion should run down to the end, as it does run, and then add this—

> "Or until the House shall so determine upon Motion, which, after Notice given, may be

made by any Member and put without Amendment, adjournment, or debate, and decided by a majority."

The House will see that that very considerably enlarges the power of intervention; but that which we cannot agree with is the limitation of its operation to a particular Bill, Question, or Motion. We believe—and I do not speak at random—we have done our best to act in conformity with the most impartial as well as the most learned authorities. This Motion is not made with the slightest intention of crippling our proceedings, and it would not have that effect. The only mode, as it seems to us, of meeting the resources of that new art — the latest invention of the 19th century — known as Obstruction, is to give a power to wise and judicious hands which may be exercised as necessity from time to time may require. Otherwise, Obstruction might be so pitted against Business that no Business can be done. Now, Sir, I hope that self-conceit does not beseem a great Assembly, yet self-respect does beseem a great Assembly; and it does appertain to self-respect when we stand on our trial before the world, which is teeming in every quarter with comments on our recent deplorable proceedings. After much patience and long-suffering we have addressed ourselves to this necessary work, and have determined to meet the difficulty, not with a half-measure or with a weak and paltry proposal, but with something which shall attain the end we have in view. I have now stated two out of the four points proposed. I will at once rely on the generosity of the House, and embody them in the Motion that I make. As you have heard, we are perfectly open to consider a reasonable arrangement; and if I have not embodied the change, it is only because I was not sure whether I might not be doing that which not unfrequently happens, that in doing a kind act you are only aggravating the offence, and creating difficulty. I believe I have now stated nearly all that is necessary for me to put before the House upon this subject. Anxious as I have been to save the time of the House, yet I feel it impossible to submit proposals of much importance without entering into some details as to their character to tender again this admission, that I believe I am asking a minority of the House to place some reliance upon the spirit of equity and the sense of honour of the majority. I do not think that feeling can be separate from any proceedings of this kind; but this I must say, that they are not dependent only upon the honourable and equitable feelings of the majority, considered as individuals; because there is an atmosphere of honour and equity within these ancient and traditional walls, there is a dominant inflow of those influences from every part of the country, and these influences would all array themselves on the side of the minority, and would, as I believe, bring within due bounds any majority which was disposed to abuse their power over the minority. Making that admission on the one hand, and making it in larger terms than some would, I now close this address by making the most earnest appeal that it is possible for a man or a Minister to make. I have been nearly half a century in this House, and you will believe me when I say I am not indifferent to its honour. Personally, my prospective concern in this arrangement is small. My lease is all but run out; but there are those here who, for years, even for generations, will live, as I hope, to render honourable and splendid service to their country. The House of Commons has never since the first day of its desperate struggle for existence stood in a more serious crisis—in a crisis of character and honour, not of external security, but of character and honour, which are its essence. As you value the duties which have been committed to you, as you value the traditions you have received, as you esteem highly the interests of the vast Empire for which you work, I appeal to you not too nicely and microscopically to discuss this and that secondary improvement upon which we might differ for ever, but without hesitation, without delay, after the challenges that have been addressed to you, after what you have suffered to-night, to rally to the performance of a great public duty, and to determine that you will continue to be, as you have been, the mainstay of the power and glory of your country, and that you will not degenerate into the laughing-stock of the world. The right hon. Gentleman concluded by moving the Resolution of which he had given Notice.

Motion made, and Question proposed,

"That, if upon Notice given a Motion be made by a Minister of the Crown that the state of Public Business is urgent, and if on the call of the Speaker 40 Members shall support it by rising in their places, the Speaker shall forthwith put the Question, no Debate, Amendment, or Adjournment being allowed; and if, on the voices being given he shall without doubt perceive that the Noes have it, his decision shall not be challenged, but, if otherwise, a Division may be forthwith taken, and if the Question be resolved in the affirmative by a majority of not less than three to one, the powers of the House for the Regulation of its Business upon the several stages of Bills, and upon Motions and all other matters, shall be and remain with the Speaker, until the Speaker shall declare that the state of Public Business is no longer urgent, or until the House shall so determine upon a Motion, which after Notice given may be made by any Member, put without Amendment, Adjournment, or Debate, and decided by a majority."—(*Mr. Gladstone.*)

SIR STAFFORD NORTHCOTE: Sir, I can assure the House that I feel very strongly the great responsibility which rests upon myself individually, as well as upon those with whom I act, with regard to the proposals which have been made to us by the Prime Minister. Those of us who listened to the eloquent speech with which my right hon. Friend entranced the House during the half-hour before you, Sir, temporarily left the Chair, must have felt the very great force and cogency of the appeals which the Prime Minister made to this House to throw aside, as far as possible, all prejudices and narrow views in order to meet a great and increasing emergency. They must have felt that the appeal gathered additional force from the fact that it was made by one who not only stands at the head of this House in point of ability and position, but who, for a length of time, has taken a leading part in the proceedings of former Parliaments, and is distinguished by this—that he has as much as, and perhaps I might say more than, any Member of this House, in former times, stood up nobly, in the face of opposition sometimes of the most formidable character, in defence of the rights and liberty of speech, and especially of minorities, in this House. If any man could be qualified by the record of his Parliamentary life to come forward with authority, for the purpose of claiming such alterations as may be necessary, and which may impose some restrictions upon the hitherto unfettered liberty of Parliament, it is the present Prime Minister, who has shown himself on not one, but on many occasions, prepared both to assert, and by his own conduct to vindicate, the rights of a minority under all circumstances of opposition and of overwhelming force, and, sometimes, of misrepresentation and misconception. I do not think it necessary, because my right hon. Friend's history is so well known to us all, and we are all proud of the part that he has played in Parliamentary life for so many years, to go back in detail to the cases to which I have thus alluded, and of which we are so well aware. I refer to them now because I am myself in a position which imposes upon me, to some extent, at all events, the especial duty of endeavouring to represent and to make good the case of those minorities whose interests have in times past been so well supported by my right hon. Friend. And, Sir, if I am able in any way to advance those doctrines which, on so many occasions, he has so eloquently pleaded and defended so powerfully, it will be to me a source of great pride and satisfaction. Now, Sir, I am quite ready to admit that I entirely agree with, and accept fully, the greater part of the opening observations of my right hon. Friend. I agree with him that it is our duty now to consider how we are to arrange our Business so as to make this House worthy of the name which it has gained in the nation, and to retain for it the power and the authority which it is of so much importance that it should possess. I agree with him that the recent scenes that we have witnessed in this House, and some upon former occasions, are of such a character as to demand that we should take exceptional measures if we are to maintain the order and the decency of our proceedings, and the dignity of the House, which it is, above all things, necessary to maintain. And this I will say—that the respect which this House has, and ought to have, in the eyes of the nation must depend, not only upon the order and decency of our proceedings, but also upon their freedom and efficiency. It would be a sad change if we were to give up that somewhat irregular freedom of discussion and debate which distinguishes the British House of Commons from the greater part of similar Assemblies in other countries—if, for the sake of assuming decent apparel, we were to throw away our working clothes, as if we were ashamed of them, and always appear in our best dress suit. We must be prepared, if we are to give expression to the opinions of all classes in this country, if we are to be a Representative Body of all classes of the country, and the great bulk of the nation, and of those classes who are not directly represented here, but are indirectly represented, and who look to us to plead for their interests—I say, we must be prepared to insist, and should not be doing our duty if we did not insist, on retaining those things which are more than mere forms, which are the substance of the dignity and honour of Parliament, and which really give life and vigour to our proceedings. I was glad to hear an expression of my right hon. Friend, when he told us, in making his proposals, that it would be well to take care to prevent the oppression of one Party by another. That, I say, is an object of importance second to none. I freely grant that, as a general, almost an universal, rule, it is the duty of a minority, after having fully and fairly, and to the last point, fought a cause which it has to defend, to give way to a majority; but when I call to mind the position of the British House of Commons, and consider how far a majority here, temporarily representing a particular view, can be regarded as representing the majority of the nation, I do feel it most important not to adopt any measure or any Rules which would place the Party for the time being in a minority at the mercy, not of the Whole House, but of the Party of the majority. And, Sir, I especially apply that doctrine to the circumstances in which we now stand, for the purpose of urging upon the House of Commons that, while it ought not to be slow or unwilling to adopt any new arrangement by which its will can be better expressed than by the machinery which we at present employ, and while I am perfectly ready to admit that there is a great deal to be said for the principle embodied in the Resolution before us—namely, the principle that we should transfer from the Whole House to the hands of our respected Chief Officer, the Speaker, the authority of dealing in certain cases with our Forms of procedure—it is of the highest importance that that transference should be taken, not merely by one Party overruling another Party, but by a general consensus of opinion on the part of the House. What we have to complain of is, not that small bodies of men, representing opinions which are at variance with those of the great body of the House, have urged with persistency, ability, and energy their views, but that in some cases there has been, and there is, a great and growing tendency on the part of certain Members to increase the number of cases in which the disposition is not to fight out the questions at issue fairly and on the grounds of argument and reason, but to avail themselves of the Forms of the House, to turn those Forms to purposes for which they were never intended, and to obstruct ordinary Business, in order to force the House to particular conclusions which it would not otherwise adopt. I quite agree that it is of the utmost importance we should take measures to prevent, or at least to check, that evil. It hardly needed the eloquent language of the Prime Minister to impress that upon us. He touched a tender place in our minds by reminding us of the 11 days which he said he wished he could recover. Perhaps we have acquired some peculiar views within the last week, and have been inclined to doubt the name of each particular day. The truth is that the House is, at the present moment, in a position to bear its own testimony to the evil with which we have to contend; and it is not, therefore, necessary that great speeches should be made on the subject, for we have only to consider and to look around and see what has been going on for the past few weeks in this House since the meeting of Parliament. Now, Sir, it is a great advantage for a Minister, when he comes forward and asks us to adopt what he considers the best remedy he and his Colleagues can devise for the evils he points out, to be able to plead urgency; but there is also a danger which may arise from that very fact, and it is this—that we are hardly in a condition at this moment to consider calmly the many important questions which are involved in the proposals before us. I do not, however, advance that argument as any plea for delay. I agree with my right hon. Friend when he said that the remedy we should adopt was that which, being the most just, was also the most prompt. Only this I would say: Promptitude, undoubtedly, is of very great importance; but justice and appropriateness are of still greater importance. And I warn the House that we should upon this occasion be very careful how we should adopt a Rule which we are not satisfied is the proper Rule to be adopted under the circumstances; or, still more, if we are prepared to accept—as I frankly say I am prepared to accept—the basis of the Government proposal, I think we ought not to be restrained by any false shame or any fear of possibly being misunderstood or misconstrued from insisting upon, I will not say the right, but the duty of this House in its own interests, and in the interests of the nation, to criticize somewhat narrowly the proposals that are made to us, and to insist, if need be, upon taking the sense of the House upon those points which we may deem essential, and as to which we may find it impossible to come to an agreement. I earnestly trust that that may not be necessary. I earnestly hope we may be able to come to an agreement here and now. Because I feel that, if anything is adopted, it is of the highest importance that it should be adopted by something like unanimous assent. But if we are to have that unanimous assent, it must be an assent which we find ourselves able to give from our hearts; and I am not prepared, simply for the sake of getting an early and unanimous vote, to give up some points on which I fear we have not yet arrived at a unanimous conclusion. I do not at all despair, in spite of some expressions which fell from my right hon. Friend, of being able yet to arrive at such a conclusion. But we must see. Two of the important points in the shape of Amendments of which I gave Notice have been, as I understand, more or less substantially accepted by the Prime Minister, and an offer has been made — an advance towards an arrangement—of the third; but on the fourth I am afraid we have not yet come to so satisfactory a settlement, though I still hope that that may not be out of reach. I shall address myself mainly to what appears to me to be the principal point of difference between us; but before I do so, I wish to take notice of some observations that were made by my right hon. Friend in the earlier part of his speech, when he referred to the alternative which you, Sir, set before the House some days ago, when you said that you considered it would be necessary for the House to pursue one of two courses—either to arm a majority of the House itself with greater powers than it now possesses, or to place powers in the hands of the Speaker. My right hon. Friend went on to say that it had been the intention of the Government to move in the direction of the first of these alternatives, but that on consultation and communication which he had had, intimating sufficiently clearly that it was with myself, as representing those who sit near me, and after the opinions I had expressed to him, the Government had changed their view and were now disposed to place powers in the hands of the Speaker. Now, it is perfectly true that my right hon. Friend, acting in accordance, as I think, with the general and beneficial understanding which prevails between those who take leading parts in the House, did communicate to me some time ago the ideas which were then entertained by the Government, and I told him then, frankly, that, although it was impossible for me to speak with any great confidence as to the feelings of my Friends until I had had an opportunity of conferring with them, still, judging from such indications as I was able to collect, and from my knowledge of the sentiments of a large number of Gentlemen, I was of opinion that it was not likely that the House would be ready to accept the general principle of what is called the *clôture*, but that if it were proposed with reference to a special purpose—if it were proposed, as I may say, *ad hoc*—I thought there would be a great disposition on the part of many hon. Members to put aside any scruples they might entertain and endeavour to come to some arrangement. Afterwards my right hon. Friend proposed another course. I have not expressed any preference for that course over the other; but in both cases I hold the same opinion—namely, that it is necessary that the powers which the House might be asked to assume to itself, or to place in the hands of the Speaker, should be adopted with some reference to particular subjects of debate. I have never assented to the doctrine that, either on the Motion of the Prime

Minister or anybody else, the mere assertion that the state of Public Business is urgent is in itself a sufficient ground for our divesting ourselves of all control over our Business and handing it over to any other authority, however much we may respect it. I have felt that an appeal might very fairly be addressed to Parliament by a Minister of the Crown, who might indicate that there were circumstances which rendered it, in the opinion of the Executive Government, of great national importance that particular measures should be dealt with in an exceptional manner, and to that my Amendment points. Let me point out to the House the difference between the proposal of my right hon. Friend and my own. I entirely agree with the right hon. Gentleman that we ought not to deal with proposals of this sort precisely in the way in which we deal with the clauses of a Bill in Committee. But, at the same time, the difference between us here is one, not merely of form, but of substance, and we must be free to discuss it in detail. It is proposed that upon the initiative of somebody, who we now all agree shall be a Minister of the Crown—on a declaration by that person that the state of Public Business is urgent, the House is to proceed at once to vote whether it will or will not give up its powers to the Chair, without having any explanation whatever as to the causes which led to the statement that the Business was urgent, without any opportunity of putting any question to elicit the reasons for this great surrender, and without the power of obtaining any assurance as to the limits within which those powers are to be applied. Well, that being so, it is a Rule of great importance. I admit that there would be an inconvenience in having a full debate on the subject at that stage; but if that would be inconvenient, it is all the more important that the statement upon which we proceed to vote should be self-explaining. If we are not to be told by the Minister who makes the proposition why he considers the state of Public Business urgent, and if we are not to be allowed to canvass the matter, we shall find ourselves voting very much in the dark, because the statement that the Public Business is urgent is one which may be applied in a very great variety of circumstances. It may arise when treason is on foot, or when foreign invasion is threatened, and when there is the greatest possible need for urgent speed and for setting aside all the Rules by which we are bound; or, it may be, that the Public Business may be stated to be urgent when we are in the month of August and grouse shooting is approaching, and when there are several Bills of an interesting character, which Ministers do not like to go to the country without carrying through, and when it may very alluringly be said—"If we are to get away in decent time, let us vote urgency, and hurry through the Business." Well, Sir, I endeavour to meet that danger in what I consider to be the most proper way—first of all, by proposing that the Minister of the Crown should state so far the grounds on which he claims urgency; or, at all events, say that it is a matter of public interest that this or that particular measure should be considered as urgent, and accordingly be proceeded with without delay. Even if you do not adopt the words of my Amendment, with regard to the limitation of these powers to the several stages of Bills, Motions, &c., the introduction of the words themselves into the original statement of the Minister, as to the grounds on which he pleads urgency, would have two effects. It would, in the first place, explain to the House why the Motion was made; and it would further operate as an instruction to the Speaker, in the exercise of the powers so vested in him, that he was to have regard to the progress of that particular Business and not of any other. The Prime Minister has admitted my claim that the proposal should be made by a Minister of the Crown, adding that he could not help feeling that there might be some scintilla of jealousy in giving such a power to the Representatives of the Executive in this House. I can quite understand that jealousy, and it is because I feel that jealousy that I desire so far to limit the power of the Minister as to make him give his reasons before raising the plea of urgency. There is another point on which we have made an approach towards agreement, but have not fully arrived at one. The proposal I have made in one of my Amendments is this—that the majority by which the power is to be transferred to the Speaker shall be a majority consisting of not less than one-half of the Whole House. I do that for more reasons than one. First, because I think it is right, if the House is to hand over its powers to any other authority than itself, that should be the act, not of a casual majority of the House, but of a large proportion of the House itself. It has been said there may be a difficulty at certain seasons of the year in getting an attendance of half of the Whole House. That is just one of the grounds on which I feel this jealousy. When is it it would be so difficult to get the attendance? Not at a period like the present. When there is Business of great importance, of which due Notice has been given, hon. Members are ready to attend in their places. In one division of this Session there were 437 hon. Members, including Tellers, in one Lobby, and 59, including Tellers, in the other. This is far more than the proportion I speak of; and on several recent occasions we have had in the two Lobbies very much more than one-half of the House. But when you come to the month of August or July, we have to deal with a state of things in which a large number of hon. Members are exhausted or absent; and when we meet some day, or perhaps just before we rise at a late hour some night, Notice may be given that a Motion of Urgency will be taken as to some particular Business, at half-past 4 o'clock next day. It is quite possible that, with a desire to get rapidly through Business of interest, but not of overwhelming importance, Government may be tempted to propose a Resolution that the Business is urgent. Now, I wish to guard against that by two proposals—One is that they shall state the ground on which they ask for the declaration of urgency, so that the House may judge of the real importance of the Business; and the other is that the House shall consent, not by a mere majority of three-fourths of those present, but by a substantial portion of the House itself. I have stated generally my readiness to accede, so far as I am concerned, to the basis of the Government proposals. I am quite prepared to intrust to you, Sir, who have so well deserved it at the hands of the House, a trust which will mark the sense of the House in your thorough impartiality, firmness, and discretion in the exercise of your powers. We are perfectly satisfied that, in intrusting such powers to you, Sir, we intrust it to one in whose hands they will not be abused, but will be turned to the account for which they are intended. Let me add, and it is but due, that among the many reasons which are to be urged in favour of adopting some course of this kind, in order to prevent the recurrence of such melancholy scenes as those we have recently witnessed, I may put, as one of the very highest class, the feeling which I am sure animates every Member of this House—that it is not right that you should be exposed to the great personal strain and fatigue which you have so gallantly borne during the last few weeks. I am glad to see the Prime Minister has returned to his seat, for this reason among others. I am particularly anxious to ask from him some further explanations on one or two points which are not yet made quite clear. I did not interrupt him in his eloquent speech, because I felt it would be inappropriate to break in upon his high argument by a question of detail. Yet, before the House agrees to the Resolution, it is necessary we should know what it is we are agreeing to, and we must be told a little more distinctly what is expected to be the operation of the Resolution. It is said that the powers of the House are to be and remain with the Speaker. I wish to know, more clearly than we are told, what is meant by the powers of the House? I do not understand in what way the Resolution is to work. Is it to come into operation merely by a vote, without any debate at all? Are the powers the Resolution would confer to be new powers, which the Speaker may from time to time call into existence without any vote at all? Are these powers to be powers which already exist and have been developed in any form at all, or are they to be new powers which the Speaker may from time to time initiate, on the assumption that if the House chose to assert those powers it would have them? We ought to be told in what way they are to be exercised. It is in the power of the House to vote the suspension of the Standing Orders, to set aside its Regulations, to declare that all the stages of a Bill may be taken in one day, and to do many other matters of that kind. Are all these powers to be transferred to the Speaker in a lump? Are we to have no kind of voice in the power which a majority is to empower the Speaker to exercise? Again, there is another question—What is to be the effect of the Resolution when the House is in Committee? That is a point of very considerable importance, and it is one of great difficulty. Considering that the Obstruction of which we have had cause to complain has arisen largely in Committee, it is important we should be told how far the powers proposed to be given to the Speaker can be exercised when the House is in Committee. Is the Speaker to lay down Rules, and will the Committee, in any way, be bound by those Rules? Again, will the House, in any way, be informed of these Rules before or after they are applied? I presume it will not be until after; but still we should like to know what is the way in which it is expected that the Resolution will operate. In Committee hon. Members have the power of moving over and over again that the Chairman report Progress, and that he leave the Chair. Is the Speaker to lay down the Rule that those Motions are not to be made, or only under certain circumstances and restrictions? We shall be leaving the powers of the Speaker very large indeed, if we adopt the Resolution as it stands, without some further directions, such as I propose, as to the particular measure or Business for which it is intended that power should be given; and I think that you, Mr. Speaker, will find yourself embarrassed in the exercise of that power. I regret that it is not in my power at once and without reservation to accept the proposal of my right hon. Friend, which is already before us. I have made these observations in no captious spirit. I have spoken with no intention of obstructing progress, but rather with an earnest desire to express the doubts which occur to myself, and stating the points on which I think more clearness and definite direction are required, to endeavour still further to improve the Resolution, which I admit has been already considerably improved in the hands of its Mover. To put myself in Order, and to raise the points in the most convenient way, I propose to move my Amendment as it stands upon the Paper—namely, to substitute for the words "that the state of Public Business is urgent," the words—

"That any Bill, Motion, or other Question then before this House is urgent, and that it is of importance to the public interest that the same should be proceeded with without delay."

Amendment proposed,

To leave out the words "a Motion be made by a Minister of the Crown that the state of Public Business is urgent," in order to insert the words "a Minister of the Crown shall declare in his place that any Bill, Motion, or other Question then before the House is urgent, and that it is of importance to the public interest that the same should be proceeded with without delay,"—(*Sir Stafford Northcote,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GLADSTONE: I wish, Sir, to offer a few words of explanation with reference to what has fallen from my right hon. Friend who has just sat down. I understand that my right hon. Friend thinks it would be necessary that the Minister should state, for the information of the House, the special cause for entering into the question of urgency; but the mode which my right hon. Friend proposes in that regard appears to be somewhat doubtful, and will probably be attended with injurious consequences. I do not know whether the Amendment now moved is to be followed by a series of other Amendments. If not, it would not be difficult to devise means of carrying out the general object. If the desire were simply that the responsible Minister of the Crown should make some statement as to the cause of urgency, that is a matter which may probably be fairly considered. Before any other Motion is made, it would not be difficult to devise words for the purpose of securing some statement of the grounds for urgency; but it will be simply asking him to reverse his whole argument and, in my opinion, deprive his proposition of its efficiency. Two questions have been put by my right hon. Friend. One was as to the nature of the duties of the Speaker, whether the Speaker would be able to dispense with, or modify Standing Orders; and the other as to Committees. For my own part, I have no authority to construe the words of the Motion; but, so far as the intention with which it was framed was concerned, the words have been so chosen as to save the several stages of the Bill. The power is only given to exercise upon the several stages, implying that those several stages must take place. In other respects the Speaker would be able to qualify the Standing Orders. With respect to Committees, I must apologize to the House for inadvertently omitting to refer to that subject. Any Committee of the House is entirely under the direction of the House; it derives all its powers and rules from the House, and has no power to modify them; but must receive any modification from the House. Under these circumstances, I think the words are adequate to convey to the Speaker the powers intended. With regard to the enlargement of the powers of the Chairman of Committees of the Whole House, bearing the same proportion to the enlargement of the powers of the Speaker, I apprehend that if the proceedings in Committee of the Whole House are to be modified under this Resolution, they will, undoubtedly, be modified according to Rules which will be laid down for the Chairmen of Committees by the Speaker of the House. As to the production of Rules for the exercise of these powers, it would be impertinence on my part to presume to speak. I merely signify my own conjecture. Probably the Speaker would find it becoming and convenient to frame, and submit to the House, any Rules for the regulation of its proceedings, with fitting elasticity, which he might find desirable to devise from time to time.

Mr. DILLWYN said, he must express his regret that it had at last become necessary to alter their Rules for the conduct of Business; and he hoped his right hon. Friend the Prime Minister would see his way to accept the Amendments of the right hon. Gentleman opposite (Sir Stafford Northcote). So far as he (Mr. Dillwyn) understood them, he considered them of great importance. It was essentially necessary that there should be a general statement by a Minister of the Crown as to the urgency of the Business. He understood that to be the effect of the suggestion of the right hon. Gentleman opposite.

Sir STAFFORD NORTHCOTE explained that he desired to add to his Amendment words more distinctly stating the limits of the Speaker's power.

Mr. GLADSTONE: Do I understand that my right hon. Friend desires to strike out certain words and insert others?

Sir STAFFORD NORTHCOTE: Yes; I propose to strike out the words "the state of Public Business is urgent."

Mr. GLADSTONE: That would break up the whole of the Resolution.

Mr. DILLWYN, resuming, said, he also very cordially supported the proposal of the right hon. Gentleman as to the large section of the House which should be required to constitute the majority; but instead of saying the half of the House, which was a varying and uncertain quantity, he would prefer a fixed number—say 300—to constitute a House, which would satisfy all Parties. There ought, certainly, to be a large section of the House agreed on a question involving the rights and liberties of private Members; and the House voting urgency should be a tolerably full one. He (Mr. Dillwyn) had been an Obstructive himself sometimes; but he always held that what was Obstruction in the middle of the Session was very often duty at the end of it. The urgency then was to get away. With regard to Business of urgency, he, for one, was jealous of giving special powers to any Government, for at the end of the Session Bills were, even under the ordinary regulations, hurried through the House; and such hasty legislation generally brought up a crop of amended Bills at the commencement of the following Session.

Mr. NEWDEGATE said, he was very glad to hear that the proposal of the right hon. Gentleman (Sir Stafford Northcote) met the approval of his hon. hon. Friend Member for Swansea. He thought they were much indebted to the Prime Minister for the attention he had given to this subject, and he hoped he would remember the great importance of Notice in such a matter, in the event of the Prime Minister requiring to command the support of 300 Members. He also thought that the power under these Resolutions, which certainly ought to be exercised by the House, should also be given to private Members. The respect for the House among the people of the country was the result of a conviction that it was the highest development of self-government; and should that conviction be destroyed, the respect of the people for that House would also be gone. If there was any suspicion that they were transferring their powers to the Executive Government the greatest jealousy would be felt, on which faction would work with great effect. If they did not come to a decision on the subject that night, they might have a repetition of the melancholy scenes which occurred in the early part of the evening.

MR. SHAW said, that as the proposed Standing Order was intended very much for the regulation of Irish Members, he, as an Irish Member, wished to say a word or two upon it. He fully agreed as to the necessity of some such regulation, for the way in which the conduct of Business had been left hitherto was most unfair to any Gentleman occupying the position of the right hon. Gentleman in the Chair. The very fact of having a Speaker in any Assembly implied that he possessed the power of conducting the proceedings of that Assembly. But the circumstances in which the right hon. Gentleman was placed, without any Rules to guide his conduct, threw a great amount of unpleasant responsibility upon him. The present state of things was also unfair to Gentlemen, many of them young and without experience, who, coming to that House with a firm belief in their principles and having no distinct Rules to guide them, were naturally tempted to forget or violate the spirit which should rule Assemblies like that when they had not the letter before them. He, therefore, concurred that there should be some such regulation as the one now proposed. He would also join in what had been said by the hon. Gentleman opposite (Mr. Newdegate) as to the necessity of full and ample Notice. For example, he (Mr. Shaw) lived 500 miles away. The Ministers of the day might be very anxious to carry a particular measure, and might give Notice in the ordinary way. But he thought that ample public Notice should be given, or such Notice as would enable every Member of the House to be in his place when the liberties of the Assembly were about being transferred; for although they might have the fullest confidence in the judgment and wisdom of the Gentleman now occupying the Speaker's Chair he might be succeeded by someone of less temper and discretion. As to other Amendments, he agreed with the right hon. Gentleman opposite (Sir Stafford Northcote) that the making of such proceedings should decidedly lie with the responsible Minister; but he did not think the Amendment of the right hon. Gentleman opposite went far enough in implying that the Minister should explain the grounds upon which urgency was declared. To simply declare urgency in any matter was not to explain the grounds on which the demand for that urgency was based. Therefore, the grounds ought to be fully and amply stated. He was also strongly of opinion that there should be present at least half the House, and yet he was averse to any fixed number. He thought the words of the right hon. Gentleman would amply meet this objection and ought to be adopted. When the House parted with its powers for an indefinite time—powers, it might be, of great importance—and when the privileges of minorities, who were often in the right, were placed entirely in the hands of one man or of the Government, those privileges ought to be protected. There was no reason why the number should not be put at 350 instead of 300. He also thought the Order ought to be a Sessional Order in the sense that the necessity for it would have disappeared; for he hoped most sincerely when there should be better legislation, and when a better understanding should arise—for there was no want of good feeling, though there were many misunderstandings—that they would be able to revert to that freedom of debate which they had enjoyed up to the present.

SIR WILLIAM HARCOURT said, he was desired by his right hon. Friend and Colleague to go to the extreme point in meeting the views of hon. Gentlemen, and especially of the right hon. Gentleman the Leader of the Opposition. He (Sir William Harcourt) did not think that right hon. Gentleman had any reason to complain of the course taken up to the present. The right hon. Gentleman had stated that, out of the four proposals he had made as the basis of the arrangement, three had been taken. That was going a long way towards that unanimous concurrence which could not be reached by one side having all it desired, and making no concession to the other. But he was instructed by his right hon. Friend to say that of the four points the right hon. Gentleman opposite might have three and a-half. There was one point raised by the right hon. Gentleman in which there seemed to be considerable force. The right hon. Gentleman said that the original Resolution was to the effect that the state of Public Business was urgent, but did not say anything as to the grounds. That seemed a reasonable objection, and, therefore, in the declaration made by the Minister of the Crown, there should be a specification of the reason why urgency was declared—that was to say, what were the Bills or Motions, or the character of the Business, which led to the declaration of urgency. Therefore the Government would not be averse from taking the words of the right hon. Gentleman opposite, not as a substitute for the words in the original Resolution of the Prime Minister, but in addition to them. That would be to leave the framework of the Resolution as proposed by his right hon. Friend, but to add that declaration on the grounds which the right hon. Gentleman opposite desired. He (Sir William Harcourt) thought that to be as much as the Government could be expected to assent to; for he did not entirely agree with his hon. Friend (Mr. Shaw), if he would allow him to call him so, that the Minister should make a full explanation; because, if he were to do that, it would not be to the advantage of Public Business, in that it would be impossible to prevent persons from entering into argumentative statements, which would provoke and, in most cases, require a reply. But, by admitting that formal declaration on the part of the Minister, there would be reached what the right hon. Gentleman opposite seemed to desire—a sort of instruction to the Speaker as to what was the subject-matter with respect to which he should exercise his delegated authority. He (Sir William Harcourt) must point out to the House, in order to be perfectly fair and candid, that they made this declaration for the purpose of giving a direction to the Speaker; but they could not assent to the subsequent Amendment of the right hon. Gentleman to incorporate the words "in relation to such Bill, Motion, or other Question," leaving out the words "upon Motions and all other matters," for that would seem a very serious alteration. If they did not add those words, they would not be able to prohibit a great number of things not relating to the Bill or Motion when persons were desirous of obstructing Business. Nothing would be easier than to raise an obstructive debate upon a Private Railway Bill, for example, at 4 o'clock; and that debate might go on for a week, and so prevent the urgent Business from coming on at half-past 4. He hoped the House would not think the Government were stiff in their opinions. They desired to meet every reasonable proposal; and they desired also, what was very essential after what had happened that night, that the House should come to a unanimous conclusion. The Amendment the Government were willing to accept would be in effect to insert after the words "Minister of the Crown" the words—

"Who shall declare in his place that any Bill, Motion, or other Question then before the House is urgent, and that it is of importance to the public interest that the same should be proceeded with without delay."

But they would not omit the words "a Motion be made that the state of Public Business is urgent."

Mr. SPEAKER asked whether the right hon. Gentleman (Sir Stafford Northcote) proposed to persevere with his Motion?

Sir STAFFORD NORTHCOTE thought that, under the circumstances, he would do better by withdrawing it, and accepting the proposal of the right hon. and learned Gentleman.

Amendment, by leave, *withdrawn.*

Sir WILLIAM HARCOURT said, in that case, he proposed to add, after the words "Minister of the Crown," the following words:—

"Upon which Motion such Minister shall declare in his place that any Bill, Motion, or other Question then before the House is urgent, and that it is of importance to the public interest that the same shall be proceeded with without delay."

Amendment proposed,

In line 2, after the word "urgent," to insert the words "upon which Motion such Minister shall declare in his place that any Bill, Motion, or other Question then before the House is urgent, and that it is of importance to the public interest that the same should be proceeded with without delay."—(*Secretary Sir William Harcourt.*)

Question proposed, "That those words be there inserted."

Colonel STANLEY hoped that the House would not think him desirous of obstructing or delaying the debate if, on a matter of so great importance, he urged the necessity of arriving at a clear understanding. The right hon. and learned Gentleman opposite (Sir William Harcourt) had said that the Government were willing to concede three points out of four; but their concession was to be measured not by its numerical, but by its intrinsic value, and there were still several points as to which a complete agreement did not exist. · The main question was with regard to the declaration of urgency. He (Colonel Stanley) wished to know whether a declaration of urgency on a particular Bill was to carry either with it, or after a particular time, a declaration of urgency in respect of all matters before the House. The present occasion was a case in point. Here was a Bill in which urgency was one of the prime factors; but was it to be understood that, from this time to the end of the Session, every Bill introduced either by the Government or by private Members composed a matter of urgency? That was a point upon which he and his hon. Friends near him felt some doubt, and on which the House ought to be more clearly informed. Though not so old a Member of the House as many hon. Gentlemen, he had had some experience on this matter. It had been his fate to conduct a Bill through Committee which had taken the longest time occupied by any Bill brought into the House; and certainly that, and many other causes, would not dispose him at all to be opposed to the measure which the Government might think it necessary to propose for transacting Public Business quickly and regularly. But there was just this fear—that, whereas they had appeared to consider discussion everything and legislation nothing, they might go to the opposite extreme of regarding legislation as everything and discussion as nothing. That would hardly be fulfilling the duties from which the "Parlement" derived its name, and it was necessary that they should have regard to their ancient privilege so far as it did not interfere with the proper conduct of Business. He could quite understand the argument of the Government that although urgency might be voted in respect to a Bill, that alone, under certain circumstances, would not be sufficient; and that it was quite possible that that Bill might be so surrounded and blocked by discussion on other measures that the object which could not be directly attained by those who were opposed to the particular Bill might be attained indirectly. The balance appeared to some of them to be too strong on one side, if it was held that, by reason of the urgency of a particular measure, every measure which stood on the Paper might, at the discretion of the occupant of the Chair—and the discretion of the present Speaker he would be the last to question—be treated as urgent. The House might thus, so to speak, be placed in a state of siege; and from that moment to the end of the Session every measure might, as he understood the Resolution, be passed as a matter of urgency. Hon. Members who sat on the Conservative Benches were anxious that on a question of this magnitude the difference between the two sides of the House should be reduced to the vanishing point. The Resolution would, he supposed, be passed, in the first instance, as a Sessional Order. He was anxious that it should be passed in a form that would be palatable to those who were most sturdy in standing up for the independence of the House; and while it should tend to facilitate the Business of the Government and the country, it should not be applicable to purposes to which he granted the Government might not themselves wish it to be applied, but for which it might, nevertheless, come to be used. It was desirable to avoid the danger which was happily unknown in our Parliament; but which was known to similar Assemblies elsewhere, under the name of "log-rolling," by which Members who had particular crochets or Bills to forward might engage to support other measures, provided their own proposals were included in the matter of urgency. He should be glad to have these points made perfectly clear.

Mr. DODSON hoped that he should be able to remove some of the hesitation which the right hon. and gallant Gentleman who had just sat down (Colonel Stanley) still felt in regard to the Resolution proposed by the Government as modified by the Amendments suggested by the right hon. Gentleman opposite (Sir Stafford Northcote). As had been already stated, there were means of opposing a Bill, however urgent or important, otherwise than by directly opposing it. They knew very well the facilities which the Forms of the House afforded, and how much they might be multiplied, with a little ingenuity, by opposition, or even only by discussion raised on other questions and other measures. The Government, therefore, held it to be absolutely essential to the value of this Resolution that it should declare that the state of Public Business was urgent, and that urgency should be applied to the matters before the House generally. But after the Amendment which had been adopted at the suggestion of the right hon. Gentleman opposite (Sir Stafford Northcote), the Minister who made the Motion would state to the House, and thereby instruct Mr. Speaker, what particular Bill or Bills or what particular Question or Questions were urgent, and in favour of which he asked the House to adopt that Resolution. Under the Resolution, a state of urgency of the Public Business generally would be declared. No doubt, Mr. Speaker would then have the power of applying those Rules at his discretion to whatever portion of the Business of the House he might find it necessary to apply them, in order to secure the promotion without delay of the particular Bill or Bills, or the particular Question or Questions, in favour of which urgency was asked; but he was sure the House would have every confidence that the right hon. Gentleman would not abuse that large power should it be vested in him. His right hon. and learned Friend the Secretary of State for the Home Department had pointed out how, if a particular Bill was declared urgent, and if nothing else was declared urgent, that Bill might be blocked, for example, even if it were the first Order of the Day, by the raising of a long discussion at 4 o'clock on some Private Bill. · Under the Resolution, if such an attempt were made, the Speaker would be able by his authority to prevent it. He did not think the House had any reason to apprehend that the general powers to be applied in a particular case would be unnecessarily applied to other measures. He thought the House might rely on it that the disposition of the Speaker would naturally be, not to press on, under the Urgency Rules, measures other than that for which urgency had been asked; but to put those questions aside until the urgent question was disposed of. The right hon. and gallant Gentleman seemed to be under the impression that the operation of the Rule would last throughout the Session; but the reign of urgency would only last until the Speaker, an independent authority, declared that the state of Business was no longer urgent, and the right hon. Gentleman would be anxious to relieve himself from responsibility and to make the declaration at the earliest moment possible. There was also an alternative course by which the House itself might put an end to the state of urgency. On the whole, he (Mr. Dodson) did not think there was sufficient reason for the apprehensions which seemed to be entertained. He believed that in this matter the House might safely trust to the discretion of the Speaker, and its own power, not to maintain the state of urgency longer than was absolutely necessary.

Sir R. ASSHETON CROSS said, he should like to make one practical suggestion, or, rather, to ask a practical question which might assist the House in arriving at a unanimous conclusion. When the Bill which was declared urgent in the Order Book was disposed of, would the Rules then apply to the other Notices on the Paper or not? They were all willing to grant the powers for an urgent Bill; but would granting the powers for one Bill involve the granting of the powers for other Bills? A declaration from the Government on this point would go far to remove objections on the Opposition side. He would, therefore, suggest that some such words as "for the purpose of passing the measure alluded to" should be inserted.

Mr. GLADSTONE said, that, having been challenged, he could have no hesitation in saying that the Rule would apply to the measure for which urgency was claimed and to no other. He would not deny that, according to the words as they stood, and under the powers given by the Resolution, the Speaker might abstractedly commit an indiscretion and go against the spirit of that Resolution; but the motive of it, which was clear, was to give despatch to a certain question, which, in the view of the House of Commons, required it, and not at all in any manner or degree to give special urgency or despatch to other questions where it was not necessary.

MR. CHAPLIN considered that, in a matter of that importance, the powers proposed to be given to the Speaker should be clearly and distinctly defined. He, therefore, thought that the words proposed to be added would answer the purpose of making them so; and as a matter of Business, though he did not question the honour of the majority, he thought they ought to be accepted. He hoped his right hon. Friend (Sir R. Assheton Cross) would adhere to them.

MR. J. R. YORKE wished to understand whether, in the power which the House was about to confer upon the Speaker, he would be able to declare at any stage of a Bill that the Business before the House was urgent when the debate had proceeded to an undue length, and that he must interpose to prevent its continuance?

MR. GLADSTONE said, that he apprehended the discretion would be in the hands of the Speaker to refer the question to the House, at such a time as he might think the debate should be closed. At the same time, no Gentleman who would be chosen by the House would dream of exercising power in an arbitrary manner for the purpose against the will of the House.

MR. THOROLD ROGERS, who spoke amid considerable interruption, wished to say in corroboration of the remark made by the Prime Minister, that one might look through the history of the House of Commons without finding a single instance in which a Speaker had abused his authority, or had had his ruling challenged on the occasion that he ruled; though, of course, his conduct might be censured by vote of the House. He did not like the introduction into a Standing Order of the expression "Minister of the Crown," as it was not known to Parliament.

MR. MITCHELL HENRY said, he must ask the House to consider, as honest and straightforward men, what was the meaning of the Resolution. When the Prime Minister gave Notice of his Resolution, and when it appeared in print, it was the universal belief that the discussion on the matter of so much magnitude could not be completed under less than two or three days; and he (Mr. Mitchell Henry) was certainly not willing, as one of a minority who had to defend a part of the United Kingdom which was not in much favour just now, to agree to, or assist at, the destruction of the Constitution of the country, or to allow such haste to be shown without a protest. The Constitution had occupied ages in its growth; but it now seemed that it might be destroyed in a night. All the newspapers had said that the discussion would occupy some time; but the contrary now appeared to be the case, and the reason why it was so was perfectly clear. They were going to rush the Resolution through the House, because they were afraid that certain hon. Gentlemen who were now absent would return. They, however, might rest assured, for those hon. Gentlemen could not come back by the clock, but not until after the end of that Sitting, so they need not be in such a desperate hurry. The morning before the Speaker exercised, for the first time, an unusual power. He stopped a debate. ["Hear, hear!"] He (Mr. Mitchell Henry) took that cheer as meaning that the House was unanimous in opinion that the Speaker was right. ["Hear, hear!"] Well, he, too, thought the Speaker was right. He thought extreme diseases required extreme remedies, and things had come to such a pass as to necessitate something in the shape of a *coup d'etat.* But now they were further asked to place despotic powers in the hands of the Speaker, such powers as had hitherto been unknown in a Constitutional Parliament. The Speaker had been looked upon hitherto as the servant of the House, and the guardian of the rights of minorities, but never as the arbiter of the debates. If they wanted to have the means of closing debates, let them do it upon the authority of the House itself; let them adopt the *clôture.* But the Resolution was not yet positively in grammatical form, and they were about to deliver up the liberties of the House of Commons into the hands of one man. He must say that he would rather see the *clôture* at once established than that that should take place. The essence of the new Rules was that the Speaker should regulate debate. The Speaker, therefore, supposing the Resolution to be passed, might, if he should choose to do so, stop the debate on the second reading of the Coercion Bill after the delivery of only one or two speeches. There was only one circumstance that could arise of sufficient urgency to render it necessary to put such power in the hands of the Speaker. That circumstance would be one affecting the safety of the Kingdom. Was the Prime Minister to have the power of moving that the state of Business was urgent, when he wished to pass a measure, such as a Prisons Bill or a County Boards Bill, at a late period of the Session? If the Resolution were passed that night, did any hon. Member think it would go forth to any part of the United Kingdom, or abroad, as anything but an unjust and unfair advantage taken in the absence of hon. Members who had made themselves troublesome to the House, and whose indiscretion and want of temper had so far committed them that, in being absent from the House, they were parties to an injustice on their country which never could be remedied. He said such proceedings would be unworthy of the British House of Commons. Let them wait. Let them debate the Resolution before them as they would any other common Resolution; let them have it in print, in black and white, so that they could consider it fairly before they passed it. [*Cries of* "Agreed!"] Hon. Members might interrupt him as much as they liked. He could not help it if hon. Members were in such a frame of mind that they would not give even decent attention to a man who was pleading on behalf of the whole of the representation of one part of the United Kingdom. The Resolution, as he had said, ought to be printed, and they ought to have a night to think over it. [*Cries of* "Hear, hear!" *and* "Question!"] If ever there was an occasion on which a weak and feeble voice advancing the plea that he was advancing ought to receive attention, it was now. ["Agreed!"] Their attempts to put him down would not put him down, for his sense of duty had nerved him to the task, and these interruptions did not reflect credit on those who made them. He had pleaded that the Resolution should be submitted to the House in black and white. Who could adduce any reasons why that should not be the case? He thought he knew what hon. Members were saying in their own hearts. They were excusing themselves, and saying—"If we grant this delay, we shall get these troublesome men back before the question is settled, and they will discuss it." Was that worthy of the traditions of this Parliament? It was not. He should move that that House do now adjourn. [*Cries of* "Oh, oh!"] He should say rather that the debate be now adjourned; and although he might not be able to find a Teller, yet it should not be said that he had not acted up to his duty to his constituents. ["Oh, oh!"] He understood that unworthy sneer. He did not expect, as hon. Members had of late often told him, that he would represent his constituents again; but that unworthy sneer seemed to infer that a seat in that House was to overcome a sense of duty. Yet, even if there was not one present to take the same view as himself, he would protest in the face of that House and in the face of Europe—had not the Prime Minister told them the eyes of Europe were upon them now?—against that attempt to commit what he must call a foul injustice to the representation of Ireland. ["Oh, oh!"] Well, it was an injustice to pass this Resolution in the absence of hon. Members, whose conduct had caused them to leave the House under the direction of the Speaker. He moved the adjournment of the debate, in order that they might have an opportunity of duly considering the Resolution of the Prime Minister as amended and modified again and again by a sort of half-and-half conversation by Ministers across the Table.

MR. SPEAKER: Does any hon. Gentleman second the Motion?

SIR JOSEPH M'KENNA said, he rose for the purpose of seconding the Motion just made for the adjournment of the debate. Without intending to occupy the time of the House for any considerable period, he thought that upon such an occasion as this he was entitled to be heard. His hon. Friend the Member for the County of Galway (Mr. Mitchell Henry) and himself, with a very few others, represented at that moment the whole of the constituencies of Ireland. Both of them entertained views that were, to some extent, different from those of the majority of the Irish Members; and their views, for the most part, were in unison with those of Her Majesty's Government. He thought that further time ought to be given for the consideration of the Resolution. In the course of the evening the suspension of some 30 or 35 Irish Members had taken place. All of them were entitled to have a voice in the affairs of Ireland, and the Resolution now submitted to the House would have an important bearing upon those affairs. The Resolution itself was about to be put to the House in a form which differed from that which it originally assumed. The words had been entirely altered, and after having made anxious inquiry, he had been unable to find any hon. Member who could tell him what the precise force of the Resolution as it now stood was. [" Hear, hear!"] Those cheers convinced him that there were many other hon. Members around him who agreed with him, and who would be prepared to support the Amendment moved by the hon. Member for Galway. There had been nothing very serious in what had occurred to-day beyond a certain amount of informality; but, in view of the present Resolution, the consequence of which had fallen upon the Irish Members in their exclusion from the House, made it a matter of serious importance that a vote should not be taken now. The informality which had occurred had, in his opinion, been amply atoned for by the exclusion of his hon. Friends from the House during the present Sitting; but he hoped that advantage would not be taken of that fact to press the Resolution with unnecessary haste. It would be most impolitic to prevent the Irish Members from having a voice in the consideration of this most important Resolution. His hon. Friend the Member for Galway told the House that he did not move the adjournment of the debate because he was in sympathy with all the movements of the Land League. Indeed, his hon. Friend had expressed a doubt whether, on that ground, he would be acceptable to his constituents at the next election. He (Sir Joseph M'Kenna) was in a somewhat similar position; but he cared very little whether he was accepted by his constituents or not. But he was of opinion that the House was acting now under a feeling of strong prejudice towards the Irish Members. He did not believe that that prejudice was destined to have a very long life, especially when hon. Members on both sides were able to reflect with what patience and assiduity most of the Irish Members had attended to the Business of the House and advocated the cause of their country. He ventured to say that it would not be long before that reflection would come to hon. Members, and they would then see what an unbecoming act it was on the part of the House to hurry this Resolution forward. He asked the House to consider for a moment what the effect of the Resolution would be. Its object was to confer upon the Chair very extensive and arbitrary powers, which did not exist at present, to close any debate. He was speaking in the presence of accomplished lawyers, and although he fully admitted that the House had a right to regulate the order and manner of its proceedings, he entertained grave doubts as to the legality of the means by which this power was now sought to be placed in the hands of the Speaker. Up to this moment no such Rule had ever been placed upon the Orders or Regulations of the House. [" Question!" *and* " Agreed!"] That was the Question, and the proposal of Her Majesty's Government was not by any means agreed to. On the contrary, he believed that in more than one quarter it would be found that it was disagreed to. He deeply regretted that hon. Members, in the present state and temper of the House, should think it becoming to shut out or sneer down any one who was prepared to stand up in behalf of a cause which had just been deprived of its chief advocates. He thought the great majority of the House ought to sympathize with the position in which he stood as an Irish Representative. What he wished to contend was that the House ought to assume for itself the discretionary power which it proposed to confer upon the Chair. That was a question which ought to be fairly considered and discussed. At any rate, if such a step was not to be taken, let them, at any rate, take time to consider whether the Resolution was one which ought to be passed or not. Certainly, they ought not to pass it in the absence of the 35 Irish Members who had been suspended from the Sitting of the House, and who, being deeply interested in the question, ought to have a fair opportunity of discussing it. It had never been his object to waste time. He would appeal to the Speaker, or to the House, or to the Head of Her Majesty's Government, whether that was not so; and, under all the circumstances, he trusted that hon. Members would not allow the proceedings of the House to be stained by an act which would be regarded throughout the length and breadth of Ireland as a tyrannical exercise of power. He begged to second the Motion for the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Mitchell Henry.*)

MR. A. MOORE ventured to think that the course which Her Majesty's Government now proposed to take was entirely unprecedented. It must not be forgotten that the private Members of the House had privileges. He admitted that the Treasury Bench was only too ready to grasp those privileges; but in this case private Members had not even been asked to give up their privileges, and he objected to be treated as if he were before the Star Chamber. At the present moment nobody knew what the contents of the Resolution were. It had been cooked up, and passed and repassed across the Table from the Government to the Opposition, and from the Opposition back again to the Government; but no hon. Gentleman was able to see in black and white what was really the nature of the proposition. Under such circumstances, he did not think the House ought to consent to forego its privileges. So far as the Irish Members were concerned, it would be useless to say anything in their behalf, as at present they were not in favour with the House; but he did venture humbly and respectfully to protest against this sudden proposal for the absorption of the privileges of the Irish Members.

MR. GLADSTONE: My hon. Friend seems to be entirely under a misapprehension as to what has taken place in regard to the Resolution. If he will read the Votes which he holds in his hand he will find a Notice of Amendment in the name of the right hon. Gentleman opposite (Sir Stafford Northcote), and that Amendment I audibly accepted; and it has been put from the Chair as an insertion in the Motion, with the exception of a simple grammatical form which was altered. With that exception it is the same as the Notice on the Paper.

SIR STAFFORD NORTHCOTE: I am glad to be able to avail myself of the Motion for adjournment, in order to make some remarks on the position in which we stand, and to express my hope that we may be able to come to a conclusion this evening. While fully sympathizing with those who desire as much time as possible for the consideration of the subject, I feel that, in the discussion which has been going on, we have certainly not been losing time, but on the contrary; and, in a matter of so much importance as this, I feel the wisdom of the saying of one of our ancestors—"Let us go slowly, that we may make the more haste." Now, Sir, I think this matter is approaching a point at which we may hope to arrive at a settlement. I have endeavoured, as far as I am concerned—and so have my hon. Friends near me—not to look at the matter from a Party point of view. I understand that we have come to a substantial agreement, which may be easily put into language to this effect—that, in the first place, the introduction of the Motion which is to declare urgency is to be a Motion made by a Minister of the Crown, who shall declare in his place that certain Business—which he will specify—is urgent, and that it is important to the public interests that the same should be proceeded with without delay; and that when that declaration has been so made a Motion shall be made that the state of Public Business is urgent. I quite understand that the Government wish to keep in these words; and they keep them in for the convenience of being able to move, by a second Resolution, that a state of public urgency has arisen. But, while they make a Resolution in broad and general terms that the state of Public Business is urgent, they admit that they agree with the great body of independent Members that the urgency of public affairs, although couched in general terms, is for a particular Business—that is to say, not for the purpose of getting on with every kind of Business; but only for the purpose of getting on with one particular kind of Business. I have suggested that the powers to be given to the Speaker should be qualified by using the words—"That the powers of the Speaker should be in relation to the particular Business, Bill, or Motion." The Government, I understand, object to that; and object to it on what I must admit is a strong ground. They say that if you confine the powers of the Speaker to a particular Business, Bill, or Motion, you would not shut out any action to obstruct a Bill indirectly—that is to say, by obstructing measures that may happen to stand on the Paper before the particular Business you desire to proceed with. Now, we do not at all desire, if power is to be given to the Speaker, to tie his hands so as to make the power practically of no use. On the other hand, we do not wish to give the power in such a way that it might be used for purposes for which it was not intended. Suppose the first Bill on the Paper for the night is a Bill for which urgency is pleaded, and there is another measure standing below it, against which stands a Notice of opposition, which would prevent its being brought on after 12.30, then I ask, in the event of the discussion on the first Bill going beyond half-past 12, and the other Bill then being brought on, would it be possible to apply the Resolution already agreed to as to urgency to the second Bill also, so as to enable it to be taken up, notwithstanding the 12.30 Rule? In order to make the matter clear, I think we might come to an arrangement in this way. I would not press the Amendment of which I have given Notice in line 9, to insert in line 9 the words—"in relation to such Bill, Motion, or other Question." I shall be content if the Government will agree to insert in the last line but one of the Motion—line 2, page 7, after the words "shall be and remain with the Speaker," the words—"for the purpose of proceeding with such Bill, Motion, or other Question." That would leave Mr. Speaker free in the application of these Rules; but it would also directly point to the purpose for which the Rules were to be used. Then, if that is agreed to, and we have the agreement of the Government in regard to the mode in which the power is to be exhausted and surrendered, I think we get the Resolution into a shape in which we can generally agree to it, provided we can agree upon one point more, and that one point more is by what majority the Rules are to be put in force. I think I understood Her Majesty's Government to say that they would be ready to take a fixed majority, and I think my right hon. Friend (Mr. Gladstone) mentioned a majority of 200. Now, I think 200 is decidedly too small. I think that the claim we have put forward that the majority should consist of not less than one-half of the House is not an unreasonable claim; but I fully recognize the force of the point put by the hon. Member for Swansea (Mr. Dillwyn) that it might be sufficient if, instead of taking a majority of the House, which would be about 330, we were to take a fixed majority. If the Government are prepared to make an alteration in their Resolution, and to fix the majority at 300, I really think we might come to some decision to-night. I hope the Government will take these proposals into consideration. There is another point quite outside, which is only a matter of convenience. I would suggest to the Government whether there is any use in keeping in the words—"If, on the call of the Speaker, 40 Members should support the Motion by rising in their places." These words, I take it, were originally inserted before it was intended that Notice should be given. It is now required that Notice should be given, and I scarcely think that these words are necessary. I have no objection to them; it is only a matter of taste; but they seem to me to be now superfluous. With regard to the Notice, I think that that is a matter of great importance. There should, at all events, I think, be an understanding that Notice should be given publicly, and that it should be given with one clear day's notice. I do not desire to press it as a matter to be inserted in the Resolution; but I hope it will be understood that the Notice is to be given in that way.

MR. SHAW said, he rose merely for the purpose of saying that he thought the words moved by the right hon. Gentleman opposite (Sir Stafford Northcote) were a very great improvement. Nothing could be more objectionable than to leave such Rules as these undefined. The more they could define it the better. There were one or two things which had not been fully explained. He did not fully understand whether the powers to be conferred by the Resolution were to centre in the Speaker or otherwise. He also hoped that the Government would require 24 hours' Notice to be given before any Public Business was declared to be urgent. That would enable it to appear upon the Votes. Even then, it would only be a very short Notice for some Members of the House. It required 18 hours' continuous travelling to get from Ireland to Westminster, and it would take a great many Members from Ireland a much longer time. It would be exceedingly objectionable that such a Resolution as this should be passed by the House, and should seem to be framed for only one section of it. There was no reason why ample Notice should not be given. If the Resolution were applied at once it would appear as though it had been arranged for one section of the House only; and nothing could be more objectionable than such a course. In regard to the Amendment proposed by his hon. Friend the Member for Galway (Mr. Mitchell Henry), if his hon. Friend went to a division he should certainly support him, for he thought that it would only be a matter of taste—a matter almost of common decency—to wait until the restriction that had been placed on some Members of the House, and which prevented them from attending in the discharge of their duties, had been removed. ["No!"] Some hon. Members might not like it; but he was quite sure it would be the better course, and it would read better in the papers to-morrow morning, and do better in the long run. Personally, he did not much care how it was. As he had said, he believed it would, in the long run, be found to be right, and it would give to those hon. Members who were now absent an opportunity of criticizing the proposed new Rules. If they obstructed, the House could do again what it had done before. The Government were supported by a large and strong majority when they put down the Irish Members before, and, in all probability, they would be similarly supported again. At all events, he was ready to place on record his feeling that it was only right and proper that the debate should be now adjourned.

Earl PERCY would not detain the House a moment. If they were all agreed, as he fancied they were, the main object they had now in view was to pass the Bills which Her Majesty's Government had in hand. He should be the last person to place any obstruction in their way. But if they were asked, at one Sitting, to pass a Rule which should be made either a Sessional or a Standing Order of the House, he thought they would be establishing a very dangerous principle and precedent. If it was said that this Rule was to pass to-night, for the purpose of removing the obstruction to which the Government measure had been subjected—a measure which they all desired to see pass, and which had been subjected to an exceptional obstruction which they all condemned—then certainly the sooner they passed it the better. He would, however, suggest to Her Majesty's Government that they should limit the operation of the Rule either to the period during which these Bills were before the House, or else to, say, one month or two months from the present date, so as to give the House an opportunity of re-considering it within a certain time, when they would be better able to approach the details of the Resolution. In that case he thought they would do wisely to vote against the Motion for adjournment, and he would support Her Majesty's Government in the proposition they made. But if, on the other hand, the Resolution was to be made a Sessional Order, he wished to remind hon. Members of this—which, no doubt, many of them had themselves observed—that Sessional Orders almost invariably tended to become Standing Orders; and he thought it would be establishing a dangerous precedent to pass a Sessional Order in a matter of such extreme importance at one Sitting .He, therefore, trusted that Her Majesty's Government would agree to some such proposition as that which he had shadowed forth. He had no doubt that they would have a majority in any case; but he was satisfied that they would get a much larger majority if they followed the course which he had suggested.

Mr. LITTON remarked, that, with regard to the question of adjournment, he was sorry to be compelled to differ with other hon. Members who came from Ireland; but he had asked himself, and he asked the House, what object was to be gained by an adjournment of the debate? The ordinary ground on which an adjournment might be pressed upon the acceptance of the House he took to be this—that there was a difference of opinion existing in the House which Members were anxious to bring before the House, in order to elicit further discussion. But it occurred to him that there was no difference of opinion on the main question, that some such Standing Order ought to be adopted in order to enable the Business of Parliament to be properly transacted. If he were right in saying this—namely, that there was very little difference of opinion in the

House upon the present question, there could be no reason for adjourning the debate, seeing that the House had practically made up its mind. It was said by his hon. Friend the Member for Galway (Mr. Mitchell Henry) that there was a special reason why the debate should be now adjourned; and the special reason he took to be this—that a certain number of Irish Representatives, who had thought fit to commit a sort of political suicide during the present Sitting, might be present. Now, if the hon. Members who had thought it their duty to take the step they did early in the evening had done so under circumstances of surprise, if any real excuse could be advanced for their persistent disrespect towards the Chair, or if the act of the Chair had been anything out of the ordinary course of procedure, then he would be inclined to join his hon. Friend the Member for Galway in saying that it was desirable that a matter of that importance should be discussed by the House in the presence of those who might be so much affected by the result. But the Motion of the right hon. Gentleman the Prime Minister had been on the Paper for the whole of the day; and Notice of it had been given some time yesterday. Every hon. Member had the full consciousness that the Motion was to be discussed that night, and that probably a decision would be arrived at in the course of the Sitting. It was open to those Gentlemen who felt themselves justified in taking the course they did to have abstained from taking that course, if they cared to discuss the Motion, and they had deprived themselves of the sympathy of the House in regard to their necessary absence at the present moment. There was another reason why the Motion for adjournment should not be pressed, or, at all events, if pressed, why it should not be agreed to, and that was that if the debate were adjourned the same process of suspension might have to be gone over again. It was suggested by the hon. Member for the County of Cork (Mr. Shaw) that the debate should be adjourned until to-morrow, in order to afford the 35 Gentlemen who had been suspended an opportunity of coming back to the House for the purpose of expressing their opinions. The suggestion of the hon. Member for the County of Cork amounted, practically to this—that if the same scenes should be re-enacted again to-morrow there should be again a further adjournment. He was of opinion that such a course would be highly objectionable. If the argument was good for the adjournment of a House in which the opinion upon the question under discussion might be said to be almost unanimous, the same course of Obstruction might be pursued again with the same consequences; and then the argument as to the absence of these Gentlemen, if it was an argument now, would have equal force, and, further, would have received, to some extent, the sanction of the House, by the House having yielded to it on the present occasion. Therefore, it seemed to him that the proper course to take, where there was no ground for adjournment, in order to elicit the opinion of the House, was to allow a vote to be taken at once upon the Motion of the right hon. Gentleman at the head of the Government, in the ordinary course of Business, wholly irrespective of the unfortunate accident or transaction which had taken place during the evening, and in that way terminate an episode which had been so painful to all of them, and which he sincerely hoped would never be witnessed in the future.

MR. CALLAN thought it was probably owing to the old saying that whenever one Irishman was placed on the spit another could be got to baste him that the hon. Member for Tyrone (Mr. Litton), in improving upon it, had shown himself ready to roast, not one, but a whole holocaust of Irish Members. The unanimity also with which Her Majesty's Government and the Opposition agreed, whenever any measure was brought before the House for infringing the rights and time-honoured liberties of private Members, was wonderful. The Leader of Her Majesty's Opposition, having made use of an old English saying that they should proceed slowly in order that they might make more haste, he also would impress upon hon. Members the advisability of acting upon the equally well-known and sensible advice, to "sleep on it" before coming to a decision upon the question before the House. If Her Majesty's Members followed that advice, their decision would go to the country in a form that would entitle it to more respect and authority than if it emanated from the

Radical section of the House; and he appealed to the House not to be led away by the rabid hostility of the Manchester School, with regard to whom it might be said, that "those whom God wishes to destroy he first dements." The incidents which had occurred were the results, not of concerted action, but of momentary indiscretion and difference of opinion. They were the work of a moment, and was it right that the House, in order to visit this upon the Irish Party, should destroy Parliamentary liberties? He was aware that the Radical Party were ready to put down the occupants of the Treasury Bench; but he trusted that no animosity towards Irish Members would allow the Conservative section below the Gangway to refrain from supporting the Motion for the adjournment of the debate. The debate on the first reading of the Coercion Bill had been suspended by the interposition of the Chair, due to conspiracy of the Opposition Benches.

Mr. SPEAKER: I must remind the hon. Member that the Question before the House is, "That the Debate be now adjourned," and that he is not entitled to enter into the matter to which he is referring.

Mr. CALLAN was advising the House to sleep upon the Motion of the Prime Minister, because he had never seen a Motion made by any Prime Minister which was not laid upon the Table of the House in the same terms as those in which it was put from the Chair. He had been surprised to see the right hon. Gentleman placing in the hands of Mr. Speaker a Motion which had not been laid upon the Table of the House—altering his proposal without condescending to ask the House whether it was their pleasure that such alteration should be made? The Motion, as originally announced, made it competent to any hon. Member to move, upon Notice, "That the state of Public Business is urgent;" but it had been since altered in such a way as to give special privileges to a Minister of the Crown. That important change, he submitted, could only be made by way of Amendment; and he should, therefore, support the Motion for the adjournment of the debate.

Mr. J. COWEN said, he remembered that the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright) once observed, in the late Parliament, that whenever the two Front Benches so rapidly agreed in their opinion there was every ground of suspicion that they were wrong, and about to commit some grave mistake. It was quite clear that the two Front Benches were agreed on this Resolution. They had struck up the bargain very hurriedly, and the very hurry and unanimity between them ought to make hon. Members on both sides of the House—who were independent of the official Parties—suspicious of what was about to be done. For his part, he submitted that the Rules of the House required amendment. He had always contended that they required to be altered and adapted to the changed conditions and circumstances of modern legislation. The work of Parliament had increased, and the character of that work had changed. But, in addition to that, the character of Parliament had undergone a transformation. In previous times, the House possessed more or less the character of a club. The Members lived and moved in a certain social circle. The extension of the franchise had led to the admission of those who were clear of the conventionalities common in the class to which he referred. ["Oh, oh!"] Hon. Gentlemen said "Oh, oh;" but it was beyond dispute that that alteration in the character of the House had created much of the recent friction; and he (Mr. J. Cowen) undertook to say, further, that it would continue the friction. All these things, therefore, pointed to the necessity for change in the procedure of Parliament, if its Business was to be transacted effectively and with moderate rapidity. But they had to take into account the conditions and circumstances under which the proposed change was to be effected. No one could conceal from himself the fact that this amendment in the Rules was about to be made for the purpose of accomplishing a definite end, and that end was the passing of a Coercion Bill for Ireland. ["No, no!"] Gentlemen said "No, no;" but he challenged them to deny his accusation that the proposal for amending the Forms of the House would never have been attempted at this moment, if it had not been for the purpose of getting them altered so as to enable the Irish legislation to be proceeded with. If hon. Gentlemen on that side were so anxious to get the Forms of the House changed, why did they not take steps to get it done earlier? In last Parliament the late Government made repeated attempts to amend the Regulations. The present Leader of the Opposition submitted many projects for that purpose; but they received small encouragement, and less support, from the present occupants of the Treasury Bench. They were criticized minutely, then disparaged, and not unfrequently rejected. Nothing could surpass the patience and good temper that had distinguished the late Leader of the House. He was troubled with almost intolerable opposition and obstruction; but he never was tempted to press unjustly upon the rights of the minority. They all knew how the occupants of the Opposition side in the last Parliament availed themselves of every Rule at the command of hon. Members to delay Government procedure as well as the Business of Parliament. Now, the present Ministry had not been in Office more than a few months, and yet they desired to alter those very Rules, in a most drastic and radical form, for the purpose of carrying the measures they had charge of. The circumstances of the situation were altogether exceptional and painful. No one could have witnessed the proceedings of the House without being moved by what had taken place. ["Oh, oh!"] He was astounded at hon. Members crying "Oh, oh!" and at their jeering comments. There was nothing in his Parliamentary or public career that had ever stirred him more painfully than the scene he had been a witness of that day. He asked hon. Members whether they realized the full significance of what had taken place? The Representatives of the Irish people, right or wrong, had left their seats in Parliament under a sense of injustice, if not of indignity. They were smarting under the effects of their expulsion; and, in their absence, the House was going hurriedly to pass a Resolution that directly struck at their privileges and liberties. He asked hon. Gentlemen—professing Liberals and the chosen champions of English political freedom —if they conceived that such a course was either fair or generous? For better or for worse, their Irish countrymen were united with them. There were differences of character, and probably hostile interests, between them; but they were bound to each other by the common ties of nature and political connection; and it was their duty, instead of irritating their Irish Colleagues, to strive to rub off the corners of their prejudices and antagonisms, and allow the legislative machinery to move on with less friction than it hitherto had done. It was impossible at that time to discuss the merits of the case before the House. All he could do was to lodge his protest, a solemn and serious one, against their legislating in a panic—against their bartering away the liberties of Parliament under fear—and with a shabby desire to seize an advantage occasioned by the absence of the Representatives of the Irish people.

THE MARQUESS OF HARTINGTON: Sir, I do not think the observations just made by the hon. Member for Newcastle ought to induce the House to assent to the Motion for adjournment. The hon. Member has himself admitted that there is a very strong reason for an alteration of some kind in the Rules of the House, and I believe that the great majority of hon. Members are of the same opinion. The question has been discussed at some length this evening; and what reasons does the hon. Member give why this House should not proceed with the debate on the Motion of the Prime Minister? Has he alleged that there is a great difference of opinion in the House upon the subject? He has not done so, and cannot do so. Although there may be some difference of opinion between the two sides of the House as to the precise details, and the form in which this Resolution is to pass, the hon. Member himself admitted that, practically, there was a substantial agreement as to its nature. Why, then, are we to postpone it for consideration? The hon. Member for Newcastle says we are to do this because of the absence of a certain number of Members of the House. Sir, I can admit no validity in such an argument. I admit that the absence of those Members ought not to induce us to hurry over a discussion of this kind, if there were any substantial difference of opinion amongst us; but that has not been alleged. On the other hand, I will never admit that the absence of Members, not through any accident, not through misfortune, but through misconduct and deliberate disregard of the Rules of the House, and of the authority of the Chair—I cannot admit that absence caused by such reasons constitutes any ground for postponing a decision at which we are otherwise prepared to arrive. I have heard no reason urged in support of the adjournment except that of the absence of certain Members, and I can see no validity in that argument. If the House were to require further time for discussion, if there were substantial differences of opinion, I could understand the demand for adjournment; but I believe it has been admitted by almost all who have taken part in the discussion that there is something very nearly approaching unanimity upon this Resolution. I cannot see any reason whatever why we should adjourn. The hon. Member for Newcastle referred to what took place in a previous Parliament upon this question; but the hon. Member, who, I believe, was not so constant an attendant of this House as others, has, it would seem, an imperfect recollection of what took place. He has said that the right hon. Gentleman opposite bore Obstruction with very great patience, and in that I can perfectly support him; but the hon. Member seems to forget, notwithstanding the great patience that was shown by the late Government in the matter of Obstruction at the time, that in the last Session, a little more than a year ago, the right hon. Gentleman opposite thought it necessary to bring forward Resolutions dealing, to a certain extent, with the Rules of the House, especially relating to Obstruction. Well, the hon. Member for Newcastle says the late Government met with very little support from us in their opposition to Obstruction. I absolutely deny that assertion. The Resolutions which the right hon. Gentleman brought forward were almost unanimously supported by those Members who now sit upon this side of the House who were in the last Parliament; and the only criticisms—or almost the only criticisms which we made on those Resolutions were to the effect that we did not think they would be as effectual for their purpose as those who brought them forward seemed to suppose they would. The right hon. Gentleman the present Home Secretary and myself pointed out that those Resolutions were extremely inadequate to deal with Obstruction as it at that time existed. Nay, more; on that occasion I said I should do no more than point out to the House why these measures were inadequate; that I should not press my suggestions for Amendments, but should leave the responsibility with the Government. At the same time, as I have said, I was of opinion that they would not find these measures adequate to deal with the evil which we recognized. I defy any hon. Member to point out any occasion on which the Opposition in the late Parliament put any obstacle in the way of, or thwarted in any way, the attempt of the late Government to deal with this question; and I should like to know on what instance the hon. Member relies when he says that those who now sit on this side gave a lukewarm support to the late Government in any effort made to grapple with this difficulty.

Mr. CHAPLIN agreed with a great deal that had fallen from the hon. Member for Newcastle; but he did not understand him when he said that a bargain had been made between the occupants of the two Front Benches in that House, because he had been waiting for some considerable time and with great anxiety to know what were the intentions of Her Majesty's Government with regard to the propositions that had been made by the right hon. Gentleman the Leader of the Opposition. He might say for his own part, and he believed he might say on the part of many hon. Members who sat on that side of the House, that he and they viewed with the deepest repugnance the Resolution, modified as it had been up to the present by the Amendment of the right hon. Gentleman. He held an opinion similar to that expressed by a noble Lord—namely, that the course they ought to have pursued should have been to have limited the Resolution to matters of primary and Imperial importance mentioned in the Gracious Speech from the Throne; but, having regard to the circumstances of the case, the unmistakeable and manifest feeling on each side of the House, he and many others had sunk their individual opinions in their desire to facilitate the restoration of peace and order to the House. He thought, therefore, they had, at least, the right to ask that some Member of the Government—he cared not whom it was—should state distinctly and categorically, whether they would accept the Amendments of his right hon. Friend (Sir Stafford Northcote). By the answer to that question he should be very much guided in the vote he should give. One word in reply to an observation and a challenge made by his right hon. Friend opposite, as to the conduct of the late Opposition when the right hon. Baronet below him was Leader of the House of Commons. He would give him the instance he wanted. He remembered an occasion when his right hon. Friend was in difficulties, when he was attempting to restore something like order. How was he met by the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright)? Why, instead of giving the Government the assistance they had a right to claim, that prominent Member of the Opposition counselled the Leader of the House to have a little patience—a little patience at a time when the patience of the House had been long exhausted, and when the forbearance of the House was the wonder and amazement of the world. That was how the right hon. Gentleman was met by a Member of the present Government, when he was placed in difficulties such as the Government are now dealing with; and he thought the Prime Minister would, at all events, exonerate the Opposition from the charge of adopting similar tactics.

MR. LABOUCHERE confessed that he had not thought that the amiable disposition of hon. and right hon. Gentlemen opposite towards the Treasury Bench would last for long. It seemed that no sooner were the Members of the House reduced, no sooner—without any wish to say anything disagreeable to those not now amongst them—had the bone of contention been removed, than at once the Members of the Opposition fell into what they considered their proper position, and commenced attacking in every way the Treasury Bench. He had an Amendment on the Paper, and as the object of the House was to arrive at a solution of this question as quickly as possible, he took it that they would hear, without absolutely unmixed regret, that he was unable to put that Amendment, owing to the fact that the Leader of the Opposition had put a previous one. He was precluded from putting his Amendment, and, that being so, he was not going to waste the time of the House by making a speech upon it. He might, however, be allowed to say, in justification of his Amendment, that it appeared to embody the views of the Prime Minister before he had a conference with the Leader of the Opposition. After that conference the Motion the right hon. Gentleman brought forward seemed to embody his views. He had been somewhat surprised to hear the Prime Minister say that there was no difference of principle between the *clôture*, as proposed in his (Mr. Labouchere's) Amendment, and as the right hon. Gentleman originally intended to propose it to the House, and his present Resolution. But the *clôture* reserved to Members of the House their own liberties; whereas the Resolution placed them entirely in the hands of the Speaker ["Hear, hear!"] An. hon. Gentleman behind him said "Hear, hear!" and he had no doubt that the House felt the very greatest confidence in the Speaker. This Resolution of the Prime Minister was owing to the confidence they had in him; but he ventured to say that before 50 years were over—[*Laughter*]—well, before 20 years were over, if Members liked that better, they would find that the proverb "good kings are more dangerous than bad kings" was true also in regard to Speakers. Even before the present Speaker ceased to reign over them, it was very possible that they might have reason to regret this Resolution. He could imagine a case—and though he hoped it would never occur, yet he could very well believe it possible—in which an hon. Member, in an excited House, might rise, he would say, for instance, from the Front Opposition Bench, and endeavour to dictate to the Chair the ruling on a certain point, and the ruling of the Speaker might make hon. Members indignant that he did not submit to their orders, and they would then take up their hats and troop indignantly out of the House, insulting both the Speaker and the House. ["Oh, oh!"] Hon. Members seemed to say "Oh!" but he was only supposing a case which he hoped would never occur; and he came to the direct Question, which he supposed was the adjournment of the House. Certain hon. Gentlemen were in favour of the adjournment, and had given reasons in support of their view. He took it, however, that the vast majority of Members were opposed to that adjournment. They had been talking a great deal about expediting Business; and it seemed to him that it would expedite Business, if they were at once to take the division on the Question of adjournment, and then a division on the Main Question.

MR. WHITBREAD did not intend to follow that herring which the hon. Member for Mid Lincoln (Mr. Chaplin) had attempted to draw across the question. He would not follow him into the strictures he had passed upon the conduct of the Government when they were in Opposition during the last Parliament. But he felt it necessary to protest against one assertion of the hon. Member for Newcastle. The hon. Member had said that it was only because they wished to pass a severe and, as he thought, an unnecessary, measure for Ireland, that this Resolution was framed and proposed. Now, against that he (Mr. Whitbread) protested; and he would tell the hon. Member that if their object had been to pass the measure, and that had been their object alone, a very much more simple and drastic, and a much more effectual step might have been taken than that which the Prime Minister had proposed to the House. The proposal of the Prime Minister had not reference to these Bills alone. It had reference to any or all measures that might be urgent, and he begged hon. Members to take this distinction to heart. He supported the Resolution, and thought that under the circumstances it was the least the House could do to regain control over its own proceedings. He supported it, not in order that they might be enabled to carry a severe measure for Ireland, but in order that they might bring back into the House that freedom and liberty of discussion, not for one section or portion of the House, but for all—that liberty and freedom which those who had sat in Parliament before had loved and honoured. The hon. Member for Newcastle asked them whether they had any feeling—whether it was not a painful sight they witnessed to-night? He would tell the hon. Member that he (Mr. J. Cowen) had not a monopoly of the feeling of pain at what had occurred. He (Mr. Whitbread) never witnessed, and never thought when he entered Parliament that he should live to witness, so sad a scene as that. It had not been without difficulty, not without deep thought, that he had brought himself to be a party to such a grave alteration of the Rules as was proposed in the Resolution. He had been driven to it by one thing, and by one thing only—namely, the stern necessity of the case, and that same stern necessity drove him to impress upon them that this was not a time for hair-splitting over little differences, that it was not a time for each man to air his crotchets. They all had their plans—as many Members as there were in the House so many plans there were—for dealing with Order; but it was a time when they ought wisely to accept such an agreement as was possible. He would tell the hon. Member for Newcastle, who asked for an adjournment, that in his humble opinion—and he believed it was the opinion of the vast majority of the House—this thing would not brook delay. They could not and would not allow the Business of the House to be any longer obstructed, and its authority, and the authority of its Speaker, to be set at nought. They must bring back their own control over their own Business as speedily as they could.

MAJOR NOLAN said, a great many Members seemed to have lost sight of one of the original grounds on which the adjournment was proposed. Very few hon. Members knew what was the proposition before the House at the present moment; and it would, therefore, be desirable that they should have it on the Paper before them before they were asked finally to decide. What had taken place to-day between the two first Front Benches? According to usual custom, when Amendments were on the Paper, they were taken one after the other in regular order. Instead of that the Chancellor of the Exchequer had had a private conversation—it was almost a private conversation, for hon. Members sitting where he (Major Nolan) was could hardly hear a word of it—with the occupants of the Front Opposition Bench. Possibly the members of the Press had heard that conversation, and those sitting near the right hon. Gentleman; but it had not reached the other end of the House. An understanding was apparently arrived at. After that the Home Secretary (as well as he could hear) got up, declaring that he could easily put the Amendments and the Resolutions together, that the thing was very simple.

The right hon. Gentleman went to the Table, having had the advantage of hearing what had been said, and endeavoured to put the thing in proper form; but seemingly he had to give it up and say that someone on the opposite Bench should do it. Well, it had not been done; and he did not think, if Members of the House had to pass a qualifying examination on the subject, and their seats depended upon it, there would be four of them who would not be plucked when questioned as to what had occurred. That was one reason why there should be an adjournment; but there was another of equal importance. The hon. Member (Mr. Litton), two ex-Cabinet Ministers, and one Cabinet Minister made much of the value of unanimity on this matter; but he did not think it would be of much advantage, seeing that a considerable number of Members who would have opposed it were not present. The vote given to-night might be unanimous; but over 30 Members who protested against it had been excluded from the debate. The present unanimity rather reminded him of the story of Narvaez, the Spanish Minister, who, on his death bed—["Oh!"]—the story was a serious one —who, on his death bed, was waited on by the clergyman administering the consolations of religion. The clergyman said he hoped the dying man would forgive his enemies; and the other, who had gone through a stormy life, replied that he had no enemies. It appeared to be so extraordinary a thing that a man who had been mixed up in public affairs should have no enemies that the clergyman remarked upon the fact, expressing his surprise. The Minister, however, explained the matter by saying—"I have no enemies, for I have shot them all." The Government might carry their Resolution by an unanimous vote, because those who would have objected were absent. It would be a generous act, and would go a great way towards removing the bad impression which that evening's occurrence would create if the Government would grant an adjournment. He was sorry that he had been listened to with impatience; but, at the same time, he had thought it his duty to support the Motion for adjournment.

MR. GORST said, it was a very curious commentary on the words of the hon. Member for Bedford, who had exhorted the House and his Party to return to the days of calm deliberation, that when he rose for the first time that evening to put a question to the Government upon which the votes of many Members on that side of the House would depend, he should have some difficulty in getting a moments' hearing. The question he wanted to ask the Government was, whether they did or did not agree to the suggestion made by the right hon. Baronet (Sir Stafford Northcote)? The right hon. Baronet had clearly and distinctly placed before the Government certain Amendments to which he asked their attention; but no Member of the Government who had spoken in the debate since the question was put to the Government had thought it right to answer the question of the right hon. Baronet. As he had said, the votes of a considerable number of Members on that side of the House would depend on whether the Government would yield to the suggestions of the right hon. Baronet or not. If they were disposed to agree to the Amendments of the right hon. Baronet, those Members would be willing to let the Main Question be decided then; but if they were not agreed, those suggestions were of such importance that they ought to be discussed by the House. Every point which the right hon. Baronet the Leader of the Opposition had put forward was a vital point.

MR. GLADSTONE: The right hon. Baronet very clearly stated the changes which he thought it would be desirable to make in the Resolution; but the right hon. Baronet did not present a pistol to our heads and say—"These are my terms; I require you to say Aye or No to them;" but the hon. and learned Gentleman, apparently a rival in the same camp, now gets up and demands that we shall say whether we do or do not intend to act on the terms suggested. That is the exact question put forward to-night by the hon. and learned Gentleman. We are willing to give a fair consideration to what has been said; but it would not be regular, when we are engaged on one of the earlier Amendments to the Resolution, to accept any such compromise.

Question put.

The House *divided*:—Ayes 28; Noes 371: Majority 343.—(Div. List, No. 26.)

Question, "That those words be there inserted," put, and *agreed to*.

Words *inserted*.

Mr. SPEAKER: Does the right hon. Gentleman (Sir Stafford Northcote) move any further Amendment?

Sir STAFFORD NORTHCOTE: I propose to leave out in line 2 the words —"And if on the call of the Speaker 40 Members shall support it by rising in their places."

Amendment *agreed to;* words *left out* accordingly.

Sir STAFFORD NORTHCOTE: The next Amendment I have to move, is after the words, "majority of not less than three to one," to add the words, "which majority shall consist of not less than 300 Members."

Amendment proposed, in line 8, after the word "one," to insert the words "which majority shall consist of not less than 300 Members."—(*Sir Stafford Northcote.*)

Question proposed, "That those words be there inserted."

Mr. DILLWYN thought there had been some little misapprehension in regard to the few words which he had said at the beginning of the debate, as to the number which, in his opinion, would be sufficient to constitute a majority. He rose now for the purpose of correcting that misapprehension. What he had intended to convey to the House was, that the majority should be that of a House consisting of not less than 300 Members. He had never anticipated that the majority itself should be 300. His object was to provide against a small pocket majority—against a number of Ministers coming down and running through important Business in a thin House at the end of the Session. To guard against this, he thought that the number of Members in the House at the time the Motion was made should never be less than 300. That would, he thought, be quite sufficient. He should certainly have liked to see a provision that the majority should not be less than 200; but if they required that there should be 300 Members in the House that would be a sufficient security.

Sir JOSEPH M'KENNA hoped the House would not entertain the view that a House of 300 Members would be sufficient to pass a Resolution of such extreme importance. If such a regulation were laid down it might be that the Resolution would be passed by a bare majority—151 to 149.

An hon. Member: It would be necessary that the majority should number 225.

Sir JOSEPH M'KENNA: Even then it would be shown that with a majority that amounted to very little more than one-third of the entire House there were 75 Members against the proposal. He thought that, under all the circumstances, the limitation suggested by the right hon. Baronet the Member for North Devon (Sir Stafford Northcote) was the most fair limitation—namely, that the majority itself should be one of 300.

Mr. GLADSTONE: The hon. Gentleman (Sir Joseph M'Kenna) said the House were going to vote that 151 Members should have the power of bringing into operation this very important Rule. But it has been pointed out that he had completely misunderstood the matter, and that the number was not 151, but 225. The hon. Member, however, is just as much scandalized at the larger number as he was at the smaller. The proposal which the Government are willing to concede is, that the Resolution should not be moved in a House consisting of less than 300 Members. The House well knows that a number of Bills of vast importance, and many changes in the law of the highest importance, have been carried by majorities of less than 225. It would weary the House to go through a list of such measures. Therefore, I really cannot think it is reasonable to say that a majority of 225 is not competent to establish an urgent case of the kind contemplated by the Resolution. Suffering as we have been, I do not think it is advisable that we should clog the whole of the machinery by requiring a larger majority. In the months of August and September it would be very difficult to get some 400 Members gathered together in order to enable the House to get through the Public Business. I am quite willing, however, to carry concession to the utmost point; but I cannot consent to agree to an absolute majority of 300. I would, therefore, propose an alteration in the Amendment of my right hon. Friend to provide that the majority should be in a House of not less than 300. I would propose to leave out four words, "which majority shall consist," and to insert the words, "in a House of not less than 300."

Amendment proposed to the said proposed Amendment, to leave out the words "which majority shall consist," and insert the words "in a House,"—(*Mr. Gladstone,*)—instead thereof.

Question proposed, "That the words 'which majority shall consist' stand part of the said proposed Amendment."

SIR STAFFORD NORTHCOTE: I will not detain the House for a moment further than to say that I feel it impossible to assent to the change proposed by my right hon. Friend. It seemed to me so important that the House should part with its power only by a real and substantial majority of the House that I had, in the first instance, proposed that the majority should not consist of less than one-half of the entire House. I am willing to substitute for that number 300, which is below one-half of the entire House; 225 would be little more than one-third of the House. I cannot help thinking that the observations of the Prime Minister warns us of the precise danger which I mentioned as the one we had to avoid. He says that in the months of August and September it would be difficult to get any considerable number of Members together for the purpose of expediting the Public Business, except on special occasions of the highest importance. Now, as I understand the object of the Resolution, it is not to be moved with the general view of expediting Business, but only to meet special cases of public urgency and importance. I regret that I shall feel it necessary to divide the House upon the matter.

MR. R. H. PAGET was anxious to say a word in support of the observations which had been made by his right hon. Friend below (Sir Stafford Northcote). The House was asked now to make an important change in its orders, and they had arrived at a stage when it was possible to come to some agreement. He took it for granted that the Resolution would only be made use of in a case of urgency, and in very exceptional instances. It did not appear upon the face of the Resolution itself; but he presumed that it would be necessary to give some Notice. He wished to know what that Notice would be. He took it for granted that, in a matter of this exceptional importance, the Notice to be given would be sufficient to enable Members to be summoned. If that were so, and sufficient Notice were given to enable Members to be summoned to their places, there was no reason why the figure 300 should not remain as the majority by which the Resolution could be put in force. He hoped, in view of this consideration, that the right hon. Baronet would persist in his Amendment, and not consent to any diminution of the figure 300.

Question put.

The House *divided*:—Ayes 150; Noes 234: Majority 84.—(Div. List, No. 27.)

Words "in a House" inserted in the said proposed Amendment.

Question proposed, "That the words 'in a House of not less than 300 Members' be there inserted."

MR. NEWDEGATE: In consequence of the House having decided that a majority of 300 shall not be required to give effect to the Resolution before the House, I desire to put a question to the right hon. Gentleman the Leader of the House, to whom we are all so much indebted. The old practice of the House, when about to decide so grave a question as the transfer of so large a proportion of its powers as the Resolution before the House purports was, that there should be a Call of the House. When I addressed the House before, I ventured to emphasize the importance of adequate Notice of any intention to act upon this Resolution. Indeed, unless for the exceptional circumstances under which the House finds itself placed, and that this Resolution is to be only a Sessional Order, that is to terminate with this Session, I should have entertained a very different opinion with respect to this proceeding. When I supported the view of the hon. Member for Swansea (Mr. Dillwyn), he proposed that the majority requisite to bring this Resolution into effect should not be less than 300; and I consider that the requirement of such a majority was very nearly equivalent to requiring a Call of the House; but now that the House has departed from the requirement of a majority of 300 to bring this Resolution into operation, I beg to ask the right hon. Gentleman the Leader of the House whether, in the event of a future proposal to enforce this Resolution, it will be competent to any hon. Member to move for a Call of the House?

Question put, and *agreed to.*

SIR STAFFORD NORTHCOTE proposed to insert the words—"For the purpose of proceeding with such Bill, Motion, or Question." He said these words would give a general direction as to the object with which powers should be used.

Amendment proposed,

In line 10, after the words "with the Speaker," to insert the words "for the purpose of proceeding with such Bill, Motion, or other Question."—(*Sir Stafford Northcote.*)

MR. GLADSTONE said, he would agree to the Amendment. In answer to the question of the hon. Member for North Warwickshire (Mr. Newdegate), he must say he was sometimes sorry that the practice of making a Call of the House had been given up; but there would be nothing whatever in these Resolutions to prevent any hon. Member raising the question of a Call of the House.

Amendment *agreed to*; words *inserted* accordingly.

Main Question, as amended, put.

Resolved, That, if upon Notice given a Motion be made by a Minister of the Crown that the state of Public Business is urgent, upon which Motion such Minister shall declare in his place that any Bill, Motion, or other Question then before the House is urgent, and that it is of importance to the public interest that the same should be proceeded with without delay, the Speaker shall forthwith put the Question, no Debate, Amendment, or Adjournment being allowed; and if, on the voices being given he shall without doubt perceive that the Noes have it, his decision shall not be challenged, but, if otherwise, a Division may be forthwith taken, and if the Question be resolved in the affirmative by a majority of not less than three to one, in a House of not less than 300 Members, the powers of the House for the Regulation of its Business upon the several stages of Bills, and upon Motions and all other matters, shall be and remain with the Speaker, for the purpose of proceeding with such Bill, Motion, or other Question, until the Speaker shall declare that the state of Public Business is no longer urgent, or until the House shall so determine, upon a Motion which, after Notice given, may be made by any Member, put without Amendment, Adjournment, or Debate, and decided by a majority.

MR. GLADSTONE: Sir, I rise to move the second Resolution: "That the state of Public Business is urgent;" and, in conformity with the terms of the first Resolution, I, being a Minister of the Crown, declare, in my place, that the Bill for the Protection of Life and Property (Ireland), now before the House, is urgent; and that it is of importance to the public interest that the same should be proceeded with without delay.

Question put, and *agreed to.*

Resolved, That the state of Public Business is urgent.

ORDER OF THE DAY.

WAYS AND MEANS.

CONSOLIDATED FUND BILL.

Resolution [January 28] *reported,* and *agreed to*:—Bill *ordered* to be brought in by Mr. PLAYFAIR, Mr. CHANCELLOR of the EXCHEQUER, and Lord FREDERICK CAVENDISH.

Bill *presented,* and read the first time.

POOR RELIEF (CLERICAL GUARDIANS) (IRELAND) BILL.

On Motion of Mr. MOORE, Bill to facilitate the appointment of Clerical Guardians of the Poor in Ireland, *ordered* to be brought in by Mr. MOORE, Mr. P. J. SMYTH, Lord EDMOND FITZMAURICE, Mr. ERRINGTON, Colonel COLTHURST, and Mr. MOLLOY.

Bill *presented,* and read the first time. [Bill 80.]

House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Friday, 4*th February*, 1881.

PRIVATE BILLS.

Ordered, That this House will not receive any petition for a Private Bill after *Friday* the 11*th day of March* next, unless such Private Bill shall have been approved by the Chancery Division of the High Court of Justice; nor any Petition for a Private Bill approved by the Chancery Division of the High Court of Justice after *Tuesday* the 10*th day of May* next:

That this House will not receive any report from the Judges upon petitions presented to this House for Private Bills after *Tuesday* the 10*th day of May* next:

Ordered, That the said orders be *printed* and *published*, and affixed on the doors of this House and Westminster Hall. (No. 10.)

NOXIOUS GASES—LEGISLATION.

QUESTION. OBSERVATIONS.

VISCOUNT MIDLETON asked Her Majesty's Government, When it was their intention to bring in a Bill to deal with the question of Noxious Gases? He need not remind their Lordships that this subject had long occupied attention. The Acts passed on the subject several years ago owed their origin to Reports of Select Committees, made at the instance of their Lordships. Within two years of the passing of the last Act the grievances which had been before complained of became so much intensified that, on a Motion of a Member of their Lordships' House, Her Majesty was pleased to appoint a Commission to inquire into the subject. He had on former occasions called their Lordships' attention to the line of inquiry which was pursued by that Commission, and the conclusions at which they had arrived. He did not propose to recapitulate them; but in order that their Lordships might not underrate the importance of the interests mixed up in this question, he would briefly enumerate the places and neighbourhoods in which the evils to be dealt with in any future Bill arose. They were — Glasgow, Newcastle-on-Tyne, Tyneside, Durham, and the coke oven district; Liverpool, and the adjacent towns; St. Helens, Widness, and Runcorn; Manchester, Nantwich, and Cheshire salt works; Flint, and the North of Wales chemical works; Swansea, and the copper works of the southern part of the Principality; and last, but not least, the banks of the Thames, both north and south, especially the northern portion of the Thames, from Blackwall down to Greenhithe. The population surrounding these places, more or less affected by the evils complained of, could not be less than the whole population of Ireland. It would, he believed, be no over-statement to say that 6,000,000 of individuals—a very large proportion of them amongst the poorest of our population—were affected by the influences of these noxious gases. What happened? The Commission to which he had referred made its Report in the summer of 1878. In the year 1879 a Bill was introduced by the President of the Local Government Board. That Bill, he believed, reached its second reading; but for reasons which he could not enter into, although he could do so at the proper time, it perished in the "massacre of the innocents." The next year, or rather the close of the same year, the evil had become so much aggravated that a deputation from Lancashire, headed by the noble Earl opposite (the Earl of Derby), had an interview with the President of the Local Government Board, and urged upon him that, bad as matters were before, they were infinitely worse in the winter of 1879-80, and that it was absolutely necessary some further legislation should be initiated. Further legislation was promised, and another Bill, also on the lines of the Report of the Commission, was laid on the Table of their Lordships' House in 1880. Then came a change of Government, and, he supposed, with the change of Government came other subjects which demanded the attention of the new Government, and this important matter was forgotten. In July last he called attention to this neglect, and he received a very satisfactory reply from the Representative of the Local Government Board in that House, to the effect that a Bill should be introduced at the earliest possible moment in the forthcoming Session. Information had reached him from very reliable quarters that the evils complained of had been even worse during the winters of 1879-80. The truth was, the influence of these noxious gases depended very much upon the prevailing winds, or whether there was no wind, and also upon the question of temperature. In consequence of the revival in trade, all these evils were becoming intensified. He had hoped, considering the early period at which they were called together, and the remark that fell from the noble Earl the Secretary of State for Foreign Affairs as to the absolute want of Business in their Lordships' House, that a Bill dealing with this subject would have been introduced at an earlier period. But, instead of that, one-sixth of the ordinary Session had now gone by, and no such Bill had been introduced. He hoped the time was coming when this subject would not escape the attention of the Government, but that it would be dealt with in a judicious and effective measure. By so doing Her Majesty's Government would earn the thanks of a very large portion of the working population of the country.

THE MARQUESS OF **HUNTLY**, in reply, said, that early next week he would move for leave to bring in a Bill to consolidate the Alkali Acts, and to make further provision for the regulation of alkali and other works producing noxious gases.

CONTAGIOUS DISEASES (ANIMALS) ACTS—THE CATTLE TRADE.

EXPLANATION.

EARL **SPENCER** said, he wished to make a short explanation on the subject of a Motion of which his noble Friend behind him (the Earl of Airlie) had given Notice for that evening, and of a Question which his noble Friend wished to ask in moving his Motion. His noble Friend wished to move for Copies of any Correspondence that might have passed this year between the Veterinary Department of the Privy Council and the Committee of Lloyd's on the subject of the importation of cattle into this country; and to ask whether any communication had been made to Her Majesty's Government by the Government of the United States with respect to any steps which the last-named Government might have taken or might propose to take with the object of stamping out cattle disease in the United States. Now, with regard to the Motion, he had to say that the Correspondence was not yet complete, and he did not think it would be for the public advantage that it should be produced in an unfinished state. With regard to the question, no communication had been made on the subject to Her Majesty's Government by the Government of the United States; but there had been considerable Correspondence of another kind on the matter. In Papers which he presented last night, there would be found a great deal of information on the subject of cattle disease in the United States. In these circumstances, perhaps his noble Friend would think it more convenient to postpone raising anything like a discussion on the question till those Papers were in the hands of their Lordships.

THE EARL OF **AIRLIE** said, that, after this intimation from the Government, he would postpone the matter.

HIGHWAY ACT, 1878 — RE-APPOINTMENT OF COMMITTEE.—QUESTION.

THE DUKE OF ST. **ALBANS** asked Her Majesty's Government, Whether they will re-appoint the Committee of last Session, or otherwise inquire into the unsatisfactory working of Highway Boards in various districts, with the view to the amendment of the Highway Act of 1878?

THE MARQUESS OF **HUNTLY**, in reply, said, the Committee of last year was appointed on the Motion of the noble Earl opposite (Earl De La Warr). He hoped the noble Earl would move its re-appointment this year; and, if he was not prepared to do so, the Government would take the matter up. He thought it desirable that the Committee should be appointed shortly, and that it should proceed at once with its inquiry. The Highway Returns of last year had not yet been received, and some time must elapse before they were ready.

EARL **DE LA WARR** said, he was quite prepared to move the re-appointment of the Committee, when it could be done with due regard to the convenience of the Government and of their Lordships' House.

THE EARL OF **KIMBERLEY** asked the noble Earl when he proposed to do so?

EARL **DE LA WARR** said, he would give Notice of doing so for an early day.

House adjourned at half past Five
o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, 4th February, 1881.

MINUTES.]—Private Bill (*by Order*)—*Second Reading—Committed to a Select Committee—* Cheshire Salt Districts Compensation.

Public Bills—*Second Reading*—Protection of Person and Property (Ireland) [79]—*First Night, debate adjourned;* Consolidated Fund *.

PRIVATE BUSINESS.

CHESHIRE SALT DISTRICTS COMPENSATION BILL (*by Order.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Charles Forster.*)

Motion *agreed to.*

Bill read a second time.

Mr. LYULPH STANLEY moved—

> "That it be committed to a Select Committee of Seven Members, Four to be nominated by the House and Three to be added by the Committee of Selection:—That such of the Petitioners as shall have presented their Petitions against the Bill on or before the 8th day of February may, if they think fit, be heard before such Committee by their Counsel, and Counsel may be heard in support of the Bill against such Petitions."

He believed there was no opposition to the Motion. He thought it right, however, to state that the Bill was not an ordinary Private Bill, but that it took power to levy a perpetual tax on the salt trade of Cheshire. He, therefore, thought it right to move that it should be referred to a Hybrid Committee instead of to an ordinary Private Bill Committee.

Mr. LYON PLAYFAIR thought it would be well to assent to the Motion, because, although it was a Private Bill so far as it related to the special district, it involved a tax of 3*d.* per ton upon an article of traffic in the district. Under these circumstances, he considered it necessary that the Bill should be referred to a Hybrid Committee.

Motion *agreed to.*

PUBLIC BUSINESS (URGENCY)—MOTIONS FOR ADJOURNMENT.

Mr. SPEAKER addressed the House as follows:—The House has entrusted to me great and unprecedented powers; and I accept them with a grave sense of the responsibility imposed upon me. I shall endeavour to carry them out in such a manner as to maintain freedom of debate, which is one of the most cherished traditions of this House, and at the same time to restrain any abuses of that freedom.

I am deeply sensible of the confidence which the House has reposed in me, at a time of unexampled emergency; and, in discharge of the arduous duties now committed to me, I shall rely upon its generous support and indulgence.

In a few days, I propose to lay before the House certain rules for the regulation of its business, while the state of Public Business continues to be urgent. In the meantime, I have thought proper, at once, to frame a rule which is necessary to ensure the uninterrupted progress of the urgent measure now before us.

That rule is in the following terms:—

That no Motion for the Adjournment of the House shall be made, except by leave of the House, before the Orders of the Day or Notices of Motions have been entered upon.

QUESTIONS.

FRANCE—FRENCH MERCANTILE MARINE BILL—BOUNTIES TO FRENCH SHIPPING.

Viscount SANDON asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have received information that the measure for providing for Bounties to French Shipping has been passed by the Legislature of France; and, if so, whether he will lay upon the Table of the House a Copy of the measure as finally adopted, together with any correspondence which has passed between the Governments of France and England on the subject since the Papers which were laid before Parliament at the end of last Session; and, whether he is aware that somewhat similar proposals for Bounties to American Shipping have been made in the Congress of the United States; and, if so, whether he can lay any papers upon the Table of the House upon the subject?

SIR CHARLES W. DILKE: Sir, I have just laid on the Table further despatches from Lord Lyons respecting the Bill referred to by the noble Lord, with a Copy of it as finally adopted and promulgated. No particulars as to similar proposals made in the Congress of the United States have reached Her Majesty's Government through any official channel; but full information on the subject will, no doubt, be forwarded by Sir Edward Thornton.

STATE OF IRELAND — MOHILL, COUNTY LEITRIM.

MR. FINIGAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he has any official information of the resolution passed on Saturday 22nd January, by the Mohill (county Leitrim) Guardians, in which they refuse to grant the workhouse for the use of troops, and in which they declare that Leitrim county is peaceable and requires no military?

MR. W. E. FORSTER, in reply, said, I have seen the resolution of the Board of Guardians to which the hon. Member refers; but it contains no allusion to the state of the county as regards crime, nor as regards its peaceable condition. It simply contains information with regard to the accommodation for paupers available in the workhouse.

EDUCATION DEPARTMENT—THE NEW CODE OF REGULATIONS, 1881.

MR. J. G. TALBOT asked the Vice President of the Council, When he proposes to lay the new Education Code upon the Table of the House?

MR. MUNDELLA: Sir, the Code was laid on the Table last night. It will be found that no changes have been made in it, except in the article relating to half-timers, which has been modified to meet the requirements of the Act of last year. In accordance with the promise made to Parliament last year, we have been carefully considering the Code, with a view to simplifying it and to securing the best educational results in return for the large annual grants made by this House; but owing to the early meeting of Parliament, and to the necessity of laying the Code on the Table within 30 days after its assembling, we have not been able to satisfy ourselves as to some of the important changes we are contemplating. It will be necessary, before submitting them to Parliament, to subject them to the test of experiment, and when we have satisfied ourselves the sanction of the Treasury must be given to such changes as involve an alteration in the mode of calculating annual funds. What, therefore, we hope to do is, later in the Session, to lay on the Table a Minute embodying the changes which we propose to introduce into the Code a year hence. This, we think, will give ample notice to those interested in the conduct and management of schools, and afford to Parliament time for consideration and discussion.

COAL MINES—THE COLLIERY RIOTS AT HINDLEY.

MR. DALY asked the Secretary of State for the Home Department, Whether it is true that a meeting of colliers, computed at 20,000, was held at Amberwood Common, near Hindley, on Wednesday 27th instant, at which some constables in plain clothes on being recognised were grievously maltreated, since numerous acts of violence were committed; and whether, in vindication of Law and order, and for the protection of life and property, he will deem it his duty to advise Her Majesty's Government to pass some measure of coercion or repression for this disturbed portion of Her Majesty's dominions?

SIR WILLIAM HARCOURT: I have received no special information in reference to this matter. The Question of the hon. Member only came to my knowledge this morning; therefore, I cannot give him full or precise details upon the subject; but I know there have been deplorable disturbances in those districts. In reference to the second part of the hon. Member's Question, all I can say is no information has reached me, nor have I any reason to think that the ordinary law is not sufficient in those districts for the protection of life and property.

IRELAND—ARKLOW HARBOUR.

MR. W. J. CORBET asked Mr. Solicitor General for Ireland, Whether it is not a fact that, by the 32 Geo. 3, cap.

24, and 26 Vic. cap. 209, one of the objects for which the Wicklow Copper Mine Company was incorporated was "the maintaining, repairing, and improving of the harbour of Arklow," and, inasmuch as the said harbour has been allowed by default of the Company to fall into a ruinous state, to the injury of the people of the town, who depend upon the sea fisheries for their livelihood, whether Government will take steps to insist either on having the harbour put in repair by the Company, in accordance with the provisions of the Acts vesting the property in them, or to stand aside and allow the townspeople to avail themselves of the advantages offered by the Treasury?

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, the facts are stated in this Question with substantial accuracy. Any person damnified by the condition of the harbour through the default of the Wicklow Copper Mine Company, can obtain redress in the ordinary course by an action in Her Majesty's Courts. The harbour being the property of the Company, it appears to me more the duty of the persons interested in the matter than of the Government to see that the Company duly discharge the obligations imposed on them by statute. My right hon. Friend the Chief Secretary for Ireland, in answer to a Question on this matter on the 24th of last month, explained that the late Government had agreed to make a loan and grant for the purpose of this harbour; but their action was frustrated by that of the Company, over whom the Government have no control.

HOUSE OF COMMONS—PRIVATE ROOMS FOR MEMBERS.

Mr. J. HOWARD asked the First Commissioner of Works, Whether, with a view to the convenience of Members, as well as to securing their more constant attendance at the House, it is possible to provide a number of small private rooms which should be let by tender at the commencement of each Session?

MR. SHAW LEFEVRE, in reply, said, he was afraid he could hold out no prospect that the proposal of the hon. Member would be carried out. In the first place, there were no rooms available for the purpose; and he thought, further, that it would be a very invidious thing for Members of the House to have chambers there.

IRELAND—AGRARIAN OUTRAGES—PRICE OF RETURNS.

MR. M'COAN asked the Secretary to the Treasury, Whether, in view of the paramount present importance of the Return of alleged Agrarian Outrages in Ireland during the ten months ending 30th November last, he will sanction a considerable reduction in the relatively high price of 1*s.* 6*d.* at which the Blue Book in question is obtainable by the public; or, failing that, whether he will sanction a reduction of the cost of a large number of copies of the said Return, or its reprint in a cheaper form, for distribution amongst the constituencies of the United Kingdom?

LORD FREDERICK CAVENDISH: The price of 1*s.* 6*d.* for this Blue Book is in accordance with the arrangement made some years ago, by which the charge for Parliamentary Papers was fixed at ½*d.* a sheet of four pages, less 12½ per cent on wholesale purchases. I am not aware of any case in which this charge has been reduced. In ordinary cases it is supposed about to cover the cost of paper and the mechanical part of printing only, allowing nothing for the cost of setting up the type, which is the heaviest charge. As this Blue Book consists of tabular matter, which is very expensive, it is not probable, unless a very large quantity of copies were ordered, that it could be reprinted at any lower price. I am informed that up to the present time, besides the Copies supplied to Members of Parliament and subscribers, only 42 Copies have been taken by the public. There is, therefore, no prospect of any such demand as would justify the expense of reprinting the Return.

HOUSE OF COMMONS—CORRIDOR LOCKERS FOR MEMBERS.

Mr. M'COAN asked the First Commissioner of Works, If he will provide additional corridor lockers for those Members of the House who are at present inconvenienced through want of such accommodation?

MR. SHAW LEFEVRE, in reply, said, that the only place for additional corridor lockers for the use of hon. Members was in the recess of the smoking-room curtain.

RIVERS CONSERVANCY AND FLOODS PREVENTION BILL.

Mr. ARTHUR PEEL asked the President of the Local Government Board, Whether, as the Lord President has announced the intention to refer the Rivers Conservancy and Floods Prevention Bill to a Select Committee, the Government will constitute the said Committee of Members of both Houses?

Mr. DODSON, in reply, said, that the Bill in question having been introduced in the House of Lords, the initiative in any proposal concerning it must proceed from that House. The Lord President had given Notice of a Motion to refer the Bill to a Select Committee of their Lordships' House, and, in doing so, no doubt he had consulted the wishes of that Assembly. He might add that there was no precedent for referring a Bill, of which one House was seized, to a Committee of both Houses.

CENTRAL ASIA—RUSSIA—ALLEGED MUTUAL ENGAGEMENTS.

Baron HENRY DE WORMS asked the Secretary of State for India, Whether it is the fact as reported, that mutual engagements have been entered into between this Country and the Government of Russia, by which Russia has undertaken not to advance upon Merv, upon the condition that the English occupation of Candahar shall be abandoned; and, whether negotiations are on foot with the object of obtaining such an engagement from Russia?

Sir CHARLES W. DILKE: Sir, there is not the slightest foundation for the statement referred to by my hon. Friend in his first Question. As to the second, we have reason to believe that Russia is not advancing upon Merv; but this belief is not a consequence of any negotiations with us, no such negotiations having taken place.

MERCANTILE MARINE—LIGHTS OF FISHING VESSELS.

Mr. MURRAY asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to a statement in the "Times" of the 3rd instant, to the effect that Prince Bismark has announced that he has successfully recommended the discarding of those rules which oblige fishing vessels to carry red and green lights as dangerous and misleading; whether any official intimation to this effect has reached Her Majesty's Government; and, whether, as here rumoured, any other states have taken the same course?

Sir CHARLES W. DILKE: Sir, no official intimation to this effect has reached Her Majesty's Government. Nor has any information been received that any other States have taken such a course. Her Majesty's Ambassador at Berlin has been requested to report on the subject.

STATE OF IRELAND—TREASONABLE PROCLAMATIONS—THE IRISH NATIONAL DIRECTORY.

Mr. GORST asked the Secretary of State for the Home Department, Whether a treasonable Proclamation addressed to the men of Ireland, and signed "By order of the Irish National Directory," has been circulated in England, and particularly whether such Proclamation was put up in the Roman Catholic school and chapel at a town in the west riding of Yorkshire on Sunday last; and, if so, what steps Her Majesty's Government propose to take to prevent the publication of treasonable Proclamations in England?

Sir WILLIAM HARCOURT: Yes, Sir. My attention has been called to the proclamation referred to, which has been posted in many parts of England, and the Government are taking such steps as they think necessary to ascertain the history and origin of this proclamation; but when the hon. and learned Member asks me to state what steps the Government propose to take, I submit that to make a public statement of that kind will not be advisable. I hope the House will be satisfied with the assurance that the Government are fully alive to the mischief and dangers of such proclamations, and are doing all in their power to prevent them.

Mr. CALLAN said, that with reference to the Question that had just been put to the Secretary of State for the Home Department by the hon. and learned Member for Chatham, he begged to ask, Whether it is true that the placard in question was posted up in a Roman Catholic church and school in a town in the West Riding of Yorkshire on Sunday last; whether there is any foundation for the charge implied in the Question; and, if so, whether the name of the place will be given, so that the members of the community may have an opportunity of repelling the slander?

SIR WILLIAM HARCOURT: I must ask the hon. Member to give Notice of that Question, as I have no particular information as to this or other places. I have seen copies of such a proclamation, which I am informed was put up in various parts of England and of the Metropolis.

THE FRANCHISE (IRELAND).

MR. DAWSON asked the First Lord of the Treasury, Whether he was aware that, owing to the restricted state of the franchise in Ireland as compared with that existing in England and Scotland, a vast majority of the ratepayers in that country had no votes for Members of that House, and that consequently their voices could not be heard at the present crisis?

MR. GLADSTONE: Sir, I am aware that the state of the franchise in Ireland is very much more restricted than it is in England or Scotland. I am aware that it was so fixed at the time when the subject of the franchise was re-considered, and it was rather to my surprise that it was so fixed with the general assent of the Representatives of Ireland. I am also aware, and the hon. Member is aware, that Her Majesty's Government were very desirous to find a remedy for that state of things last Session, by introducing a Bill which the pressure of Parliamentary Business did not permit them to pass; and I may say that we should have been very desirous to re-introduce that Bill during the present Session, and probably to pass it, had we had no reason to believe that very serious obstacles would be placed in the way of Public Business.

NAVY—H.M.S. "ATALANTA."

CAPTAIN PRICE wished to ask the Secretary to the Admiralty a Question which he hoped he would be able to answer without Notice. It was, Whether there is any truth in the report that the figure-head of the "Atalanta" has been picked up and brought home to England?

MR. TREVELYAN: The Admiralty, as far as I know, have not yet received any certain information on the subject. I may say, however, from the tone in which the Report has been discussed by the naval Lords, that I do not think they believe the figure-head belonged to the *Atalanta.*

ORDER OF THE DAY.

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PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL.—[BILL 79.]

(*Mr. William Edward Forster, Mr. Gladstone, Secretary Sir William Harcourt.*)

SECOND READING.

Order for Second Reading read.

Mr. W. E. FORSTER: Mr. Speaker; Sir, in moving the second reading of this Bill, I hope to detain the House but a short time, as the House gave me its attention when I first brought in the Bill. I shall only take the opportunity now of explaining some misconceptions which have arisen with regard to the Bill in the minds of some hon Members which I thought I had anticipated, and of noticing one or two objections that have been made against it. In the first place, I endeavoured, when I brought in the Bill, to make it clear what was its purport. I said that it was a very short enactment, all, in fact, contained in one clause, and that not a long clause; and my right hon. Friend the Prime Minister, as well as my hon. and learned Friend the Solicitor General for Ireland, have also explained what the Bill was. At the same time, I cannot help thinking that the House, or, at least, some hon. Members of the House, have not clearly remembered, or clearly observed, that with regard to the offences other than treason, treason-felony, or treasonable practices, for which the Lord Lieutenant may arrest a person in a prescribed district on reasonable suspicion, that those offences are confined to crimes which are already punishable by law—namely, the committing of an act of violence or intimidation, or an endeavour to incite to an act of violence or intimidation, tending to interfere with or disturb the maintenance of law and order in the prescribed district. That confines the operation of the Bill to what I endeavoured to point out to the House seemed to us, in this emergency, to be necessary—that is, that the Government should be able to arrest, and detain for a limited period, persons who may be reasonably suspected of being either the planners or the perpetrators of outrages —persons either committing outrages themselves, or abetting others in the committal of outrages. But the Bill does not go further than that. I find that one or two hon. Members have supposed that the Bill would apply to public meetings in general. That is a great mistake. I have also found that there was considerable misapprehension of the remarks which I used in my speech. I admit that my language was strong; but I do not think it was stronger than was deserved with regard to the men who commit or incite to the committal of actual outrages. I described them as what I think they generally are, the *mauvais sujets* of a particular district—village tyrants, and, generally speaking, dissolute ruffians. It is extraordinary to find how these words, which were pretty clearly reported, were misunderstood. In some places I have seen it stated that I made that charge against the people of Ireland in general. Well, to my mind, the fact that such a supposition has been made is the greatest possible slander upon the people of Ireland. The people of Ireland are certainly not, as a people, the planners and perpetrators of outrages. Another hon. Member seemed to think that I was attacking the clergy of the Roman Catholic Church in Ireland. I need not say that I did nothing of the kind. With regard to those who have been acting with the Land League meetings, although I have said, and I think I was right in saying, that I consider in many cases they have been reckless and careless as to the effect of their words, and have not taken that care which I should have expected men in their position would have taken to prevent outrages following upon their speeches, yet I never said, and I never supposed, that as a rule any speaker of eminence, or any Member of this House, has incited to the perpetration of any outrage. All I wish to be understood is this, that the Bill is meant to deal with those who are reasonably suspected of committing positive outrages and crimes, or of inciting to or abetting in their commission. Then again, in the course of the debate, there has been a good deal of comment upon the retrospective character of the Bill. Perhaps the Committee would be the more appropriate place for remarks upon that part of the clause; but still I do not wish to pass it over altogether. We have done exactly the same thing in this Bill as was done in the Westmeath Act. We have made it retrospective, as the Westmeath Act was made retrospective, and our reason is this. We bring in this Bill not for any purpose of vengeance—not with any purpose of even righteous vengeance—but our object is prevention, and the preventive character of the Bill would be very much injured if we did not obtain the power to reach, and to prevent from committing more outrages, those whom we reasonably suspect of having committed outrages. I do not know that I need dwell more upon this part of the matter now, but that is our reason for making the Bill retrospective. Remarks have also been made, and surprise has been expressed, that we should have proposed such general powers for dealing with those whom we suspect to be guilty of high treason, treason-felony or treasonable practices. I am not surprised at hon. Members opposite asking for more particulars upon that matter than I feel myself able to give, and I must again appeal to the House to trust the Executive Government upon this question. We should not have put in this clause unless we had reason to believe that it is required; and, from the nature of things, it is impossible for us to explain our reasons to the House. One fact that has happened will enable me to give some idea of those reasons to hon. Members. A Question has been asked of my right hon. Friend the Home Secretary (Sir William Harcourt) with regard to a placard or proclamation that has been very extensively circulated. Hon. Members, I dare say, are aware of the terms of that proclamation. It is one certainly of a very treasonable character. It advises quiet for the present, but present quiet only to be able more effectually to disturb the peace, and, in fact, to undertake rebellion at a near future. The words of the proclamation are—"Our present duty is to prepare, and watch, and wait until the hour for action comes."

I do not think that it would be easy to find any short written notice that could contain more, within a few words, of a rebellious nature than that document. The fact that I wish to bring before the House is not simply that such a proclamation has been posted up at one place in the West Riding of Yorkshire, but that it has been posted up all over Ireland, in very many places in England, including the Metropolis, and in some places in Scotland, thereby proving the existence of a very considerable and active organization, and an organization that has this faculty about it, which makes it the more dangerous, that it has the means of being able to do what is in fact a treasonable thing—namely, the posting of such a placard without the police either in England, Ireland, or Scotland being able to discover the persons who posted it.

MR. FINIGAN: I merely rise—["Order!"]—to ask the right hon. Gentleman to state where this placard has been posted in Ireland?

MR. W. E. FORSTER: I have not got the names of the places; but I have heard of them, day after day, in letters from Ireland and elsewhere, and I have received copies of the proclamation which have been posted up in different places. There is no question whatever that it has been extensively posted in Ireland. The only other remark I wish to make with regard to the Bill has reference to the supposition apparently prevalent in some quarters that the provision requiring lists of arrests to be laid upon the Table of the House is a novelty. As regards these lists, we have again done precisely what was done in the Westmeath Act. In that Act it was required that a list should be put upon the Table of the House, and the ground given of the arrest of any particular person, which ground I take to be either treason, treason-felony, treasonable practices, or crimes punishable by law, under the second head. I do not wish that there should be any misunderstanding in the matter; and, therefore, it should be clearly understood that it is not the object of the Government that the sanction of Parliament should be required for any particular arrest, nor will there be any provision in the Bill attempting to make such sanction necessary. In noticing some of the comments that have been made upon the Bill, perhaps the House will expect me to allude more particularly to the objections that have been made to the Returns which have been produced. Now, as regards those Returns, and especially as regards those contained in the two Blue Books, the last of which was presented this morning, I must first state that I have had nothing whatever to do with their preparation. In fact, I did not see them until they were past any possibility of correction by me. I thought that my duty was to allow them to be made out in precisely the same way—in fact, to direct that they should be made out in precisely the same way that they have been hitherto made out. I believe the first time such Returns as those contained in these Blue Books were made was by my Predecessor, who issued a volume last year; and exactly the same course has been taken in regard to them now as was taken at that time. Some hon. Members seem to suppose that it was from those Returns that I myself became convinced of the necessity of this Bill, and that I convinced my Colleagues; but, as I have stated, I never saw them. What did happen was this. Day after day I had to spend hours—such I trust as I shall never have to spend again—in reading the full particulars of the cases of outrage that came before me, and I must most honestly say that this abstract which has been given to the House, instead of being an exaggeration, does in fact very much underrate the extent and meaning of the reported offences. One objection made to those Returns is that they are so framed and drawn up as to give a much larger number of outrages than they ought to give, and that, in some cases, the outrages have been duplicated and triplicated and even more. Well, allow me to read the statement which the Inspector General, Colonel Hillier, has made with regard to the manner in which those Returns were prepared. He says—

> "With regard to the cases in which 'one proceeding is numbered as several offences,' this method of recording outrages has been in practice in this department since 1844 whenever several offences of a different character were perpetrated on the same occasion and by the same party. On the other hand, it has been usual, where there was reason to believe that two or more outrages of a similar nature were perpetrated by the same party on the

same occasion, to record the case as only one of its kind. It is evident that as this practice has been the basis on which all the former Returns have been prepared, it would have invalidated comparison and caused confusion if, in preparing the present Returns, any change had been made."

I think hon. Members will agree with me that I should not have been justified in making any change; but, of course, it is quite open to hon. Members to say that, although there is no change, yet the result is to make an unfair representation of outrages. That, however, is not the case. There are two ways in which we may reckon outrages. On the one hand, we may reckon by the number of offences. For instance, if a man breaks into a house, that may be counted as one offence; if he assaults someone in the house, that may be considered another; and if he obliges that person to take an oath, that may be counted as a third. Some hon. Members say that as all these offences are committed at the same time the better plan would be to take them all as one offence, and make out the number of people outraged. Well, if I had originally framed the Returns merely for Parliamentary purposes and not as public statistics, I think I should have proceeded upon that principle, because what we have to consider is the number of persons outraged and injured. If you reckon by the number of people charged, then the underrating of the number of offences consequent on the adoption of that mode of counting makes up for any exaggeration in the number through the adoption of the mode of reckoning which I described first. I occupied some hours last Sunday in going through the Returns relating to the Province of Leinster for the end of October, and I find that if I were to reckon the outrages and offences as they are reckoned in the Blue Book they amount to 160; but if I consider only as one offence those cases in which the same persons were engaged at the same time in outraging the same individual, and if, on the other hand, I take as two or three outrages those that were offences against two or three individuals, I find that the result is precisely the same. According to the one calculation it is 160, and according to the other it is 160. I then took the county of Galway. I am sorry to say that even up to the end of October the county of Galway stands prominently forward in regard to the number of outrages committed there, and that it exceeds the whole Province of Leinster. The offences in Galway are 189 under the one mode of calculation, and 189 under the other. I took also the county of Kerry, and there the one method gives three less than the other, or 112 against 115; and in another county—Limerick—which I took, the figures were in the same proportion, but reversed in relation to each other, there being 51 in the one calculation and 49 in the other. Let me illustrate this statement by reference to a few cases. At page 97 of the Blue Book, Nos. 54 to 58 are reckoned as five offences. It appears that at about 1 o'clock, a.m., a party of men broke into the house of Walter Burke, and swore him to do no work, except herding, for his master. They also "carded" him and kicked him in a most brutal manner. All this is set down as two cases—administering an unlawful oath, and committing an aggravated assault. Then, in the case of the three offences which come immediately after, a party of men with blackened faces are stated to have sworn a man to give up possession of some land of which he had obtained possession some time before, and also to have kicked and "carded" him in a brutal manner, killed his dog, broken the windows of his house, and, on leaving, to have fired two shots. Now, according to the calculation that some hon. Members would prefer, these cases which are recorded as five offences should only be two. It is worth noting, because I think it will serve to show that there is no exaggeration in these Returns, that in the original description given by the constabulary, though the wife of one of those men was taken out of bed and ill-treated, yet that is not considered as a separate offence. Now, take a case given on page 94. It is called one case, No. 22. A woman who owned a small farm was twice fired at in front of her cottage. She swears that she saw two men fire a shot each and then run away. Now that, I think, may fairly be regarded as two offences, because either of those shots might have killed the woman. Again, take the case No. 24 on the same page, and the cases which follow up to No. 30; you find these cases represented as seven cases, and that the same offence is committed twice over by the same parties. But in case 25, you find this description—

> "At about half-past 1 in the afternoon, a party of about 12 men visited the house of the persons named, and swore them to give up about six acres of land."

Now that is treated as one offence, although six different houses were visited, and six different persons had an offence committed against them. I do not know that I need go into any more cases. I think I have done enough to show conclusively that there has been no attempt on the part of the constabulary to exaggerate these Returns; but I want hon. Members to bear in mind that there is yet another and it may be not a very unfair way of reckoning outrages and offences, and that is not merely by the number of offences or of persons against whom they are committed but by the number of persons who commit them. But of these no account has been taken. On page 94 you will find, in case No. 18, that a party of 20 men were engaged in the commission of one offence. In No. 25, an offence committed by 12 men is recorded as only one case; and if you will refer to the Blue Book which has just been issued, and which gives Returns for the county of Leitrim, you will find on page 65, in case 22, that 17 men visiting a house is recorded as only one case; the next entry, case 23, refers to a party of five or six men, and it is put down as two cases; and a little further on where there was a party of 30 men it is only recorded as one case; and so on. If any hon. Members have really any doubt as to the condition of parts of Ireland, in consequence of which we have felt it to be our duty to bring in this Bill, let them read the Returns which have been circulated this morning in regard to the county of Leitrim. I do not know that the House wishes for any further confirmation as to what is the real state of things prevailing in Ireland. I could give it to them if they desire that I should do so. I know that the details are distressing, and they would be very dull if they were not distressing; still it is almost necessary that I should submit them to the consideration of the House. I have heard a great deal of doubt expressed as to whether the effect of this lawlessness, or rather the effect of this obedience to an unwritten law instead of the law of the land, goes beyond matters connected with the payment of rents or disputes between landlord and tenant. Now that is an entire mistake, and I think we should be surprised if it were not a mistake. It is not, as I ventured to say before, a hopeful experiment to put in the place of the law of the land an unwritten law and an irresponsible law upon any particular matter; and you may be quite sure that if this is done in one matter, the law will be defied, condemned, and ignored in other matters, and there is nothing in the character of the people of Ireland, with all their good qualities, but in fact there is much in that character which makes it especially dangerous, that they should be allowed to set the law at defiance. A day or two ago I had the following statement sent to me. At the Galway Quarter Sessions recently, the Recorder of Galway took his seat, and, addressing the Grand Jury, said—

> "There usually are about 300 civil bills to be tried at this Sessions, while at present there are only about 30, principally for recovery of shop goods. It is unnecessary to refer to the cause, as people are afraid to go to law to recover their just debts, and the result of such a state of things must be general bankruptcy."

Does any hon. Member suppose that it was owing to the good state of Galway that there were so few civil bills to be tried? It was owing to the fact that there is no use in sending out processes, because they could not be served; and that observation applies quite as much to actions for debt as to those for rent. Only this morning I received a very strong and curious illustration of this from the county of Longford. The hon. Member for Longford (Mr. Justin M'Carthy) brought before the House, some days ago, the failure of an attempt to serve processes with regard to rent, which seemed to me at the time to be one of the strongest cases that could be brought against the condition of a county, although the hon. Member seemed to think that it was in a very good condition. The hon. Member acknowledged that the landlord was a good landlord, and there was no attempt to show that the rents were unreasonable, and yet it required almost an army to take the first steps towards enforcing the payment of rent. Well, I find the County Court Judge of Longford making this statement only a few days ago. He said—

> "That he could let the jury go back to their room if it were not for what had occurred since he took his seat in that Court—he meant the civil side of the Court. He found that a large number of civil bill processes had been unserved by reason of an organized system of terrorism exercised against the officers of that Court. He now spoke to them with the hope that they, as well as he, would give some words of advice—and he hoped their advice would not be in vain—to persons who attempted to prevent the due administration of the law. He also hoped, and it was his earnest desire, that those persons would profit by and accept those words of advice, which he gave most sincerely for their good, in order to save their families and friends from trouble and disaster to themselves. It could not and would not happen that the law of the land would be set at naught by a system of terrorism which had, and he regretted to say still existed, in not only one portion, but several parts of that county. He found that, through this system of terrorism, more than one half of the civil bill processes for this Sessions had been unserved, a great number of which were neither ejectment processes nor processes for rent, but for ordinary debts—debts due, or disputed, between man and man."

I have received a long statement from the Inspector of Constabulary, in which he confirms these remarks. He says—

> "The solicitor to one of the banks told me the manager informed him bills are not taken up. Those who got the money on the bills demand a simple renewal of them, saying, 'If you don't like to renew you can do your best, and see what good that will do you.' I know shopkeepers in this town who intended taking out processes for money due for shop goods, but who, since terrorism became supreme, have, in their wisdom, not taken them out; and other shopkeepers say it is useless to take them out, for even if the preliminary difficulty of serving them were got over, and decrees were obtained, the decrees would be useless, for who would execute them, or who could be got to purchase goods seized under them?"

Unless this Bill is passed, I believe that the law is insufficient to protect the officers. We can protect them in the serving of processes, but we cannot protect them from revenge and secret outrage afterwards. That is the effect, and the natural effect — the almost certain effect—of allowing the law to be defied. That is the kind of argument which has brought conviction to my mind, and has led me to impress upon my Colleagues the necessity, in which they have agreed with me, for bringing forward a measure of this kind. My hon. and learned Friend the Member for Dundalk (Mr. Charles Russell) made, the other evening, a very able speech—indeed it would not be easy for him to make a speech which was not able—which I must be allowed to notice, because it appears to me to be a speech that requires an answer. My hon. and learned Friend seemed to suppose that it was not by facts such as those which I have stated to the House that I arrived at the conviction and persuaded my Colleagues to introduce this Bill, but because I was influenced by a number of landlords in Ireland. I need not say that there is no foundation for the statement, and my hon. and learned Friend himself removed it when he said that the landlords had such a bad opinion of me that they would not come near me, and that they were anxious to take vengeance on me for the trouble I took with respect to the Bill of last year. If my hon. and learned Friend, with his great ability and forensic skill, is driven to such an argument as that, his case must be bad indeed. The hon. and learned Gentleman made the extraordinary statement that these outrages were, in fact, the creation of the landlords; but my right hon. Friend the Prime Minister, in his speech, asked the question, why crime was greatest in the last quarter, when distress and evictions were least? Well, my hon. and learned Friend thought that he ought to answer the question. I do not wonder at him; it was a question which required an answer, and I do not think that it has been satisfactorily answered yet. The hon. and learned Gentleman accounted for it mainly by saying that the tenants had something to fight for, seeing that they had their harvests to hold. I am not going into the question whether they ought to hold their harvests or not, though it is rather a curious doctrine of morality to say that certainly men ought not to pay their debts if they are able to pay them. Of course, a man ought to pay his debts if he is at all able to do so, and I do not suppose anyone would for a moment doubt that there are cases without number in which men have held their harvests and have refused to pay, who were perfectly able to pay. I know of cases of men who held their harvests and refused to pay, who were on visiting terms with the agent of the gentleman who asked them to pay their debts, who met him at parties, and were as able to pay as he was able to let. But the word had gone forth, and the unwritten law had to be obeyed. It would not be good for them if they paid, and it would be rather good for them if they did not pay. I need not, however, go into cases of that kind. Holding the harvest and not paying the rent is not one of the offences against which this Bill is directed. What I want to know is, how the statement that they felt they had something to fight for when they had the harvest to hold, in any way apologizes for, or satisfactorily explains away, the outrages? What we take power to do in this Bill is not to arrest men who do not pay their rent, or fulfil their contracts; but to arrest those who break the law, and yet contrive to escape the legal consequences of their acts. The hon. Member for Mayo (Mr. O'Connor Power), with all his remarkable ability—an ability of which we are all well aware—very often cannot help making a strong and an able statement of what strikes him, forgetful of the effect it may have upon his argument or upon his Friends. The hon. Member made a statement which hit his friends quite as hard as his foes. He said that outrages were now falling off in Ireland; and he added that, perhaps, the reason was that so many Members for Ireland were in the House of Commons, and not in Ireland, at the present moment, I suppose that, on the other hand, the reverse of that during the months of November and December was due, in his estimation, to the fact that almost all the Irish Members were then in Ireland. Well, I do not believe that at all. I believe the reason of the increase of the outrages in the last two months of the year was a growing feeling in the minds of many persons in Ireland that they could defy the law successfully by outrage. That was a sort of notion and belief that spread very much, and just in proportion as it succeeded it had a still greater chance of success. On the other hand, I am glad to say that we have now a diminution of outrages. Although the Return which I shall put before the House tonight shows that the month of January has the largest number of outrages since 1845, with the exception of the months of November and December, yet the Return for that month shows a considerable decrease. And why? Because this Bill has been brought in. Because the men who have been planning and perpetrating these outrages see that the country is in earnest, and that Parliament is in earnest. They know that the men who break the law will no longer enjoy the immunity they have had since they entered upon crime—an immunity secured by the very commission of crime. By the terror they have struck around them they have prevented evidence being brought against them, and they have brought us to the sad and sorrowful conclusion that, for a short time, in order to meet this emergency, we must take the power of detention without that legal evidence which these men make it impossible for us to obtain. At the same time, it must not be supposed that, even with this reduction of crime in Ireland during the past month, matters are not still left in a very serious state indeed. I could cite cases well calculated to arouse both indignation and sorrow, that we have been informed of only this morning. Do not let the House suppose that because the outrages have decreased, because, as I believe, they will still further decrease, that, therefore, this Bill is not necessary. If, after having used a threat—I will admit that it is a threat—to the men who do these things, that they cannot do them with safety, the House was to turn back, and for one moment to relax its determination to proceed with this Bill, then I am quite sure that the only law in Ireland would soon be the unwritten law of the Land League. I beg to move that this Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. W. E. Forster.*)

MR. BRADLAUGH said, that in rising to move as an Amendment that this Bill be read this day six months, he did so with a full sense of the grave responsibility that devolved upon him. He did not intend, in what he should say, to imply any kind of attack upon the Government or upon the Members composing the Ministry. He believed that every Member of Her Majesty's Government produced this measure with reluctance and pain, and had only been brought to introduce it by a sense of what seemed to him to be the gravity of facts warranting its introduction. He hoped he should not be wrong in assuming that every Member of that House—at least, every Member on that side—regretted that any Government, much more a Liberal Government, should have to make the humiliating avowal that the ordinary law was not enough; and that, in order to govern, they were obliged to propose a Resolution superseding the rights of the people and abolishing their Constitutional liberties. His first objection to the introduction of the Bill was that no crime was shown to exist which the ordinary law was not equal to meet, and, in many cases, had succeeded in punishing. It had been said that that was an argument he was not entitled to use, because a panic existed which, it was alleged, had been created by an organized system of terrorism. They could not quite deal with Ireland as they dealt with England, for it was true that in the former country evils had existed for many generations for which no remedy had been attempted. Habits existed which had no parellel here. Many Members of that House were old enough to remember the time when the landlords, encumbered with debt, encouraged resistance to civil law when it was set in motion against themselves. These landlords who to-day asked for extraordinary powers had themselves left a bad example to the unfortunate and miserable men who to-day threatened and repeated the bad acts of their superiors. The right hon. Gentleman the Chief Secretary had said that the effect of this terrorism was to prevent injured persons from prosecuting, witnesses from giving evidence, and juries from convicting; but the measure now brought forward would not ensure that persons should prosecute, that witnesses should testify, or juries convict. All it would do would be to give to the Government, or to the unfortunate Gentleman—and unfortunate, indeed, would be his position, charged with this duty, who had the right of arresting—to give to him the duty of superseding the conscience of the prosecutor and the evidence of witnesses; to take the place of all juries, and, on suspicion, to have the power to imprison the person whom he arrested for 18 months. He did not believe that there would be any step taken except with the very best intentions; but he submitted to the House that, in threatening the liberties of its citizens, good intent was not enough, and unless a case was overwhelmingly made out they ought not to entrust to any Government the right to supersede the law. Because panic prevailed amongst hon. Gentlemen opposite that was no reason why they should supersede the law to-day. The right hon. Gentleman had told them that the terror was occasioned by two classes—men from old secret societies, and men belonging to the new ones. Would the House pardon him if he pointed out why the old secret societies existed? They existed because the landlords extorted unjust rents, and compelled their tenants to pay an enormous price for rooms—it was a shame to call them rooms, for he had seen hovels in which hon. Members would not kennel their dogs nor stable their horses—rent which it was impossible for them to pay. These unfortunate people had no law to appeal to, nor could they appeal to Parliament, for Parliament was deaf to their appeals. This was not an evil created to-day or by the Land League; it was an evil to which, years ago, the right hon. Gentleman at the head of the Government had directed his attention, and tried to grapple with; but which had baffled him, because his generous efforts had been crippled by the very landlord class now asking for protection by coercive law. What was the result? These men could not appeal to the law—for them the statute had no relief; so they made their own laws, and, the Courts being shut to them, established their own secret tribunals, secret because illegal. The Prime Minister had made several attempts to remedy this state of things; but the rights of land were valued in "another place" at a higher rate than the rights of life, and so those efforts had proved useless. Now, coming to so much of the Government case, so far as it was based on the increase of agrarian outrage, he would not wade through the story of outrages that had been committed—they had heard them criticized again and again—but he would just allude to a few pages of the Returns placed in their hands to-day, so far as they alluded to the Province of Leinster, with its 12 counties, during the month of November; and he contended that in that Province there were only three counties—namely, Longford, Wexford, and Meath—which afforded any semblance of justification for the proposed measure of coercion. And, even here, the justification failed, as out of three cases in one county one had been punished with 20 years' penal servitude, and in another the accused were already in custody and were awaiting their trial. Perhaps he might be reminded of the threatening letters, and he agreed that these were most cowardly and infamous weapons against the timid; but it should be borne in mind that the percentage of actual crime which followed the letters was not enough to justify the present appeal to the House. He knew it was said that the terror of the letter and its menace was enough; but he urged that want of courage could not be remedied by coercive law. In regard to many of the outrages mentioned in the larger Return, this Bill was not required, because the offenders had either been actually convicted or were now awaiting their trial. Again, he might point out that a large proportion of the fires were of unoccupied dwellings, and they were not so serious as they would be in the Metropolitan district, for instance, where they would be accompanied with danger to life and limb. It was said that those outrages were committed by the few; and what the Government said was practically this—the few can be arrested if you give us this power for which we ask. His contention, however, was that if the magistracy had been firm the few could have been arrested. They were reduced to their present position because the habit of the country had been to allow demonstrations against the law to override the law; and also because of the frequent enactment of Peace Preservation Acts to suppress mischief, instead of remedial legislation to redress wrong. The hungry man could not reason, and did not reason—he struck. It was for the Government to step in with its Land Law Reform Bill, and say—"You shall not starve long; we will give you the opportunity of living by the fruits of your labour as free citizens should live." Further, it was said that there were Land League Courts; but could they not have been suppressed at once? Here there could be no difficulty as to evidence. The courts had been open to the Press, and it would have been an easy matter for the magistrates to have enforced the law. Habit in Ireland had, in truth, deprived magistrates and landlords alike of their self-reliance. One of his strongest objections to the Bill was its retrospective action. He submitted that the answer of the right hon. Gentleman, that it was the same as in the Westmeath Act, was no answer at all; a bad thing done once was shame enough, to do it twice was still more shame. It was said that the measure was only directed against the men who had committed these outrages; but then it was under cover of pretences like these that the liberties of the people had been stolen over and over again. If they were to make the Bill retrospective, make it so from the 1st of January, but not back over a period of no one knew how long. He appealed to the Government most earnestly on this point, and to those hon. Members of the House who were associated with Liberal traditions, to those Ministers of Her Majesty who had again and again made declarations in favour of liberty, especially as they were now aided by those hon. Gentlemen opposite, who were now ready to punish and, he feared, not so ready to redress. ["Oh, oh!"] Yes, out of their own mouths he would convict them. ["Order!"] He regretted if, in speaking, he had in any way infringed the Order of the House; and he trusted that, having, as he had, a difficult cause to plead, a grave case to urge, they would listen to him patiently while he detained hon. Members as short a time as he well could. He most strongly objected to the retrospective character of the Bill; and, at least, if it must have a backward action, do not leave an infinite period of scope for private malice—let it, at least, extend no further than the beginning of the year. In the United States of America the Habeas Corpus Act could only be suspended on three occasions—namely, open rebellion, armed insurrection, and actual invasion. None of these existed here. Surely England was as strong as the American Republic? Surely she would not be less free than her children across the Atlantic? It was said that the Act was directed against treason. Was there treason now? From the words that had fallen from the right hon. Gentleman there was ground to fear that he thought such to be the case. But, then, Parliament could not act upon what the right hon. Gentleman thought. If such was really the case, the evidence ought to be there. He trusted the right hon. Gentleman and the Government in every way that a Representative could do; but no Representative should entrust the Constitutional liberties of his fellow-citizens to any Government, except the strongest evidence was placed before him. The Chief Secretary for Ireland had told them that there was matter which it was impossible he could explain—matter, possibly, of wanton malice, matter, it might be, of actual treason; but, for all that, matter certainly growing out of wrongs endured. The right hon. Gentleman at the head of the Government felt this, for, in words which would always be remembered, he had again and again admitted this wrong to Ireland; but then no remedy was offered to them yet. It was true the Government said they intended to propose one. And he fully believed their declaration. He believed the Land Bill which the Government intended to introduce would be generous and wise, and, he hoped, ample; but while he was quite certain that the coercive measure now before the House would pass, he was equally sure that every step in the direction of making the Land Bill complete would secure the greatest opposition of the Conservative Party, He believed the Government intended to introduce a good Land Reform Bill; but he would ask the Government whether that Bill would become law? Would it pass even that House without difficulty and without mutilation? Would hon. Gentlemen on the opposite Benches who, a short time previously, appeared to be hurt because he used words which seemed to them to be unfair, be as ready to support a wise, generous, and ample Land Law Reform Bill? And when the remedial meaure left this House and went up to "another place," what would be its probable reception there? The reason why he moved that this Bill be read this day six months was because he saw that the measure of punishment would surely pass; but he had not the same certainty that the measure of redress would be allowed to follow it. If the Government would only say, for their comfort and consolation, that in taking those exceptional powers they would pledge their existence as a Ministry to the passing, in its substantial integrity, of the measure of Land Reform which they intended to introduce, much of the misgiving that he now felt would be removed. [Mr. GLADSTONE: Hear, hear!] He trusted the House would not think he had taken advantage of his position there to intrude upon them. It was the duty of every man who pretended to Radicalism outside at any rate to say his best within the walls of Parliament. He concluded by moving that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Bradlaugh.*)

Question proposed, "That the word 'now' stand part of the Question."

LORD RANDOLPH CHURCHILL said, he did not rise for the purpose of replying to the hon. Member who had just sat down (Mr. Bradlaugh), because there was no common ground between them. As to the Bill now before them, he had refrained from speaking upon its introduction because it was impossible to judge properly of the probable effects on Ireland of the measure until they had the full text of its provisions before them, and also because he had not wished to appear even for a moment as delaying its introduction. There had been many things said in the course of the debate on the Motion to introduce the Bill, however, which he strongly deprecated, and there were other things which any Conservative must resent. He confessed that it was with mixed and even contradictory emotions that as a Member of the Conservative Party he had received that Bill of the Government. He felt satisfaction, no doubt, that some steps had at last been taken to cause anarchy to cease and crime to be repressed in Ireland; but, at the same time, he entertained profound sorrow and indignation that that crime and anarchy should have been allowed to attain such formidable proportions. He had also an absolute conviction that but for the great change which was made at the last General Election the House of Commons would not now have been considering the present measure. Much criticism had been bestowed on the Statistics of agrarian outrages which had been produced by the Government, and he freely admitted that those figures had been clumsily and stupidly put together, and had been subjected to no intelligent revision. The Chief Secretary to the Lord Lieutenant had said that he had never read them. With all respect to the right hon. Gentleman, he thought, considering the nature of the Bill and the opposition it was likely to meet with, he ought to have paid great attention to them. [Mr. W. E. FORSTER disclaimed having said that he had not read the figures.] Trivial offences had been placed side by side with very serious offences—a course which tended to weaken the effect of the case which the right hon. Gentleman had put forward, and which might be held to give an air of unreality to it. He owned, however, that he had not expected that any very satisfactory Statistics would be produced by the Government, because he recollected that last year, when they brought in the Compensation for Disturbance Bill, they presented three successive sets of figures, all of which were equally unreliable. The Chief Secretary had been very remiss in not placing in the hands of hon. Members the Returns of crime in Ireland for the months of November and December, on which he said the Government more particularly relied, and the non-appearance of which gave considerable excuse to hon. Gentlemen who wished to impede the progress of the Bill. On the other hand, the criticisms which had been passed upon the Blue Book of Crimes could not be said to be destructive of its authority. A great deal had been made by Irish Members of the fact that in many instances the motive assigned for the outrages was based on mere supposition. He was prepared to maintain, however, that in nine cases out of ten the supposition of the constabulary almost amounted to certainty. The constabulary were always receiving more accurate information as to the causes of outrage; but the parties injured could not, under any circumstances, be induced to come forward and take part in any judicial investigation. As to the alleged trivial character of some of those offences, it should be remembered that the destruction of a turf or mud-bank or of a ditch on a small holding of five or six acres represented the loss of several days' labour to the occupier, besides the loss of several more days' labour in repairing the damage. Again, the breaking of panes of glass appeared a small matter; but in parts of Ireland there were hundreds and thousands of cabins where a pane of glass was not only an ornament but a luxury, and the inmates of those cabins, when panes were broken and their dwellings exposed to the wind and rain in time of distress, had not the means of repairing the damage. The worst feature of those outrages was their malicious object—premeditated intimidation—and were nearly all perpetrated at night, when no means of protection were at hand. Moreover, those minor outrages would undoubtedly have the effect of inducing the peasant to join the local Land League, and to think himself lucky that he got off so cheap. He had been rather surprised to hear threatening letters so much derided. It was all very well for hon. Members to get up in the House, every passage of which was guarded by police, and who lived in perfect security, to treat a threatening letter as an absurdity. But if one of those hon. Gentlemen lived in the wilds of a remote Irish county and received one of those threatening letters there, with the knowledge that some remarkable atrocious outrage had been committed in the neighbourhood a few days before, it would certainly have a very disturbing effect on his mind, especially if his wife and children were living there with him. This, also, was to be remembered, that though every threatening letter might not be followed by an outrage, very few outrages were committed in Ireland without being preceded by a threatening letter; and he understood that it was a rule of the Riband Societies not to proceed to extremes before sending two or three of those missives. They were not all received by men of such rubust mind and iron nerves as the hon. Member for Northampton (Mr. Labouchere). They were received very often by small farmers and country gentlemen, not very well educated or mixing much with the outside world, whose natures were prone to emotion, and whose happiness and fortune depended upon a peaceful and an unmenaced existence. Therefore, although these threatening letters were not to be made too much of by themselves; still, having regard to the present state of affairs in Ireland, it would be unfortunate if the House undervalued or ridiculed them. He should like to say a word on behalf of the magistrates and the constabulary, who had been subjected to what he must call most odious charges during the debate. English Members, he thought, were apt to imagine that magistrates in Ireland corresponded to magistrates in England, that they were country gentlemen, most of them landlords, and, therefore, precluded from being impartial; but the fact was, that the magistrates from whom the Government got information were stipendiary magistrates, appointed by the Crown, and perfectly independent of the country gentlemen, and with superior powers. Taking them altogether—and there were 70 of them—he did not believe they held 500 acres of land in Ireland. He believed, further, that it was the rule not to appoint stipendiary magistrates to parts of the country with which they were connected by birth, relationship, or property. As to the constabulary, after all, they were of Irish birth. Many of them were sons of small farmers; and there was absolutely nothing in their past history or general character which would justify the suspicion, much less the accusation, that they were actuated by a wanton and wicked desire to throw innocent persons into prison. Only the other day, Irish Members were getting up to inform the Government that they must not on any account rely on the Irish Constabulary to carry out their coercive policy, because they were drawn from the people and sympathized with the people. He did not see how these two theories could be consistent, both to his mind being equally fallacious. Again, hon. Members had said that magistrates were greatly to blame for not putting the law in force. Magistrates could not do so. There was a Public Prosecutor in Ireland, and magistrates could not stir until the Public Prosecutor moved. All Irish prosecutions were Crown prosecutions, and magistrates could not institute prosecutions on their own account. The putting in force of the ordinary law lay, not with the magistrates, but with Dublin Castle; and it was on the authorities, then, that the blame must lay if the ordinary law had been feely put in force. It was put forward as an argument against this Bill that it would be used by savage Irish landlords to exterminate their tenants. He thought it was a rather hard thing to attribute beforehand to individuals crimes which, as a body, they had shown no disposition to commit. If the Irish landlords had been anxious to clear their estates and exterminate the tenants, they could have done so with impunity in the winter of 1879 and in the spring of 1880, when the Land League organization was in its infancy, when there was no reign of terror, and when the tenants were on their last legs. But they did nothing of the kind. On the contrary, they made great remissions of rent; and, in the majority of cases, they supported and assisted their tenantry through a time of immense trial. There was absolutely nothing to justify the belief that Irish landlords would take advantage of this Bill in a spirit of revenge. There were, no doubt, harsh landlords; but it was to be remembered there were also harsh tenants, so much so that the hon. Member for Cork City and the Land League had thought it necessary to take special precautions against harshness of tenants towards their labourers. There might be occasional acts of injustice; but the Irish landlords, as a body, would do in the future what they had done in the past—maintain their equitable rights. Out of 600,000 or 700,000 occupiers in Ireland, there were less than 3,000 evictions in 1880; and he maintained that these figures bore out his argument. Irish Members had laid stress on the fact that there were so few murders in Ireland compared with former times. They were perfectly right to make the most of that fact; but, to his mind, it was accounted for by two reasons. In the first place, by the heroic efforts made by the Chief Secretary for Ireland to protect persons. He gave the right hon. Gentleman every credit for that. He did not believe that any Irish Government before had made such efforts to protect life, and so successfully. He might be told by the hon. Member for Northampton, or some other hon. Member, that the protection was very often unnecessary. He did not admit that; but, even if so, he thought that was a good fault, and no one could blame the Irish Secretary for being nervously anxious to protect human life. In the second place, the paucity of murders was accounted for by the paucity of evictions. If eviction had been resorted to by Irish landlords in the innumerable cases of refusal to pay rent which had been contracted for after an abundant harvest, the Blue Book would have contained many more terrible crimes than it did, in spite of all the efforts of the Government. He durst say he should be told by Irish Members that landlords did not dare to evict. But that would prove the establishment of a power which set itself above the law, and which prevented the exercise of rights under the law and guaranteed by the law. And that brought him in agreement with the Government, when they stated that they did not rest their case on the Returns of crime alone contained in the Blue Book, but on the establishment of a reign of terror which influenced all the operations of society, which rendered life precarious, and existence miserable. He would give two very remarkable illustrations of the reign of terror. The House would remember the shocking murder of Mr. Feerick, in Mayo. Six persons were tried for that crime at the Winter Assizes. One of the witnesses for the Crown was a respectable man, a land agent in Ballinrobe, and he gave evidence that while driving out from Ballinrobe he saw a person who had been shot lying on the road; that he got out of his car and would have put the body into his car if it had not been too heavy; that he drove back to the town to fetch the police; but, in giving this evidence, this respectable man turned round and apologized to the jury in Court, before all his neighbours, for having got down to assist a dying man, and said he would not have done so only that his horse was skittish and refused to pass the body, so afraid was he of the possible consequences to himself of his humanity. In another case a person, a large farmer and strong Protestant, determined to protect himself by going to Galway to serve on a jury at the Assizes. He endeavoured to get summoned on a jury; but counsel for the prisoners challenged him as being unfavourable to their clients. At last, however, he got on a jury, and, by ostentatiously putting questions in favour of the prisoner, he became perfectly safe. That was the way men protected themselves in Ireland. The state of Ireland was one which he supposed that everybody would agree could not continue; and if the Government did not take steps to put an end to the existing state of things there, other parties would take it upon themselves to settle matters according to their own fashion. He did not think it necessary to bring accusations against the principal members of the Land League, though, no doubt, some of the more obscure members of that body had spoken wildly, and even wickedly; but there was no doubt that the Land League, by its operations, had got the mind of the Irish people into such a state of commotion and excitement, that the darker and wilder spirits, under cover of that excitement, perpetrated crimes and established a reign of terror. Lord Wellesley, in 1823, called the attention of the Government, in the strongest language, to the intimate connection between political agitation and crime. He described them as being inseparably cause and effect. He believed the language of Lord Wellesley would apply to the present state of things; and so far as that held good, so far must the Land League bear the responsibility of the outrages which now disgraced Ireland, and he did not suppose that the Representatives of the Land League in the House would maintain that the outrages had prevented people from joining their organization. While, however, he blamed the Land League for the course they had adopted, there were other parties who must be held equally guilty; for just as the Land League had prepared the way for the secret societies and for crime, so had the two right hon. Gentlemen, the Prime Minister and the Chancellor of the Duchy of Lancaster, facilitated the progress of the Land League, and roused and sustained popular excitement in Ireland. They saw in Ireland an excellent field of battle; they fastened upon that unfortunate country; they intensified the grievances of the people, and they exaggerated the injustice of the landlords; and the weight and the vigour and the violence of their words, falling on those inflammable Irish minds, had done far more than all the Land League had ever done to sow the seed of which we were now reaping the harvest. The Land League had been in existence for more than two years. Violent speeches had been its characteristic from the day of its birth; but until the other day not one word had ever been uttered by either of those right hon. Gentlemen which could be even twisted into a disapproval of that language, or into a warning of what must be the inevitable results of such language. The policy of the Liberal Party was well described by Sir Edward Lytton, in 1833, when he said that to-day it was concession, to-morrow coercion—a quick alternation of kicks and kindness, a coaxing with the hand and a spurring with the heel; a holding out of hopes and fears, of terrors and of conciliation all in one breath; a system which was sufficient to make the most credulous people distrustful, and the mildest people ferocious. The Tory Party had been very violently attacked by the Irish Representatives and by the English Radicals, because they had acquiesced in the proposals of the Government; and it was said that they did so because those proposals embodied their own traditional policy of coercion. A more unfounded charge had never been brought against the Tory Party, and it was absolutely contradicted by history. The Liberal Party were far more intimately connected with coercion than the Tory Party were. The Prime Minister, in the course of his long political life, had never had a term of Office during which a tremendous Coercion Bill was not in force or imposed. It was the Tory Party which, under the guidance of its present Leader, defeated the Coercion Bill of 1846. In 1874, when the Conservative Party came into Office, they had found a most stringent Coercive Act in existence. They mitigated the severity of that Act by striking out the Curfew clauses and the Press clauses, and they allowed the Westmeath Act to expire in 1878. When they came into Office in 1874, they found 23 counties under the operation of the Act; but when they left Office in 1880, there were only eight counties subject to it. Let no one suppose for a moment that it was any pleasure to a Conservative Member to join in an attempt to interfere with the liberty of the subject, either in England or in Ireland. But when a responsible Minister of the Crown came down to that House and declared that it was absolutely necessary, for the preservation of society in Ireland, that certain unconstitutional practices should be put a stop to, even by unconstitutional means, he did not see how any loyal subject of Her Majesty could refuse to give the Government his support. It was a characteristic of the Tory Party, and one that had often been exemplified, that when the Empire or the State or society was in peril, its Members were able to divest themselves of even a shadow of a shade of all Party considerations. That characteristic, which was a stumbling-block to the Radicals and foolishness to the Whigs, was a characteristic of which the Tory Party was proud. When a crisis like the present occurred, the Tory Party did not stop to consider whether the Government was Radical or Whig—it was sufficient for them that the Government was that of the Queen, charged with the high duty of executing the law of the land. He supported this Bill with reluctance and distrust. He was confident that a proper and a vigorous administration of the ordinary law last summer and last autumn would have saved them from this Bill. He could not with satisfaction entrust extraordinary powers to a Minister who had proved unequal to the administration of the ordinary law of the land. He knew that those powers required to be administered with firmness and decision. The more these qualities abounded the sooner the necessity for extraordinary powers would cease; but he feared that we should have indecision and timidity, and, consequently, injustice and protracted coercion. With regard to the measure itself, he thought that the severity of its provisions might be safely mitigated in one or two very important respects. He objected to its retrospective character, and challenged the Chief Secretary to point to a precedent in which a similar Bill had been made retrospective. [Mr. W. E. Forster: The Westmeath Act.] That was a small local Act, and bore no analogy to the present measure. At all events, its retrospective operation might well be limited to the 1st of January, trusting to its effect to induce suspected persons to desist from their evil courses and to leave the country. In the second place, he thought that a Special Commission should be appointed some six or seven months after the Act came into operation for the purpose of trying the persons who might be detained in prison under it. If a prisoner so tried were convicted he would be punished; if the jury disagreed he would be sent back to prison; and if he were acquitted he would be discharged with the knowledge that he would be liable to re-arrest if he again came under suspicion. He (Lord Randolph Churchill) was very strongly in favour of the Act being allowed to expire in April, 1882, by which time the coercive measures of the Government, coupled with their remedial measures, should have pacified the country. If, however, Ireland were still disturbed at that time, it would then be the duty of the Government to come forward, not with any rough-and-ready mode of dealing with the evil, but with an elaborate and carefully-prepared code of protection. In conclusion, he asked the House not to give way to gloomy feelings in assenting to this measure, or to despair of the future of the Union. The advance in prosperity in Ireland in late years had been most marked. Her trade had increased; her ports were crowded; her agricultural resources and productions had been improved and developed. The social habits and manners of the people, and their dwellings and their education, had progressed to an almost incredible degree, and the stored-up wealth of the country had reached considerable proportions. If Her Majesty's Government were prepared to give real remedial measures, based upon principles of absolute justice, he believed in his heart that even the hon. Members from Ireland who sat behind him, feeling that they had effected some substantial good for their country, might be induced to allow those two great agencies—time and tranquillity—to assert their marvellous sway, and might be induced to turn their high abilities to the cementing together of all classes, and to uniting instead of separating the Irish and the English peoples. In spite of this terrible measure, which he hoped to God would be the last for which he should ever have to vote—in spite of the lamentable necessity for it which he was sorry to say existed—he looked forward, and would ask the House to look forward, in confidence to the dawn of a brighter day for Ireland; and, at no distant period, perhaps, in the lifetime of many of them, when all ideas of separation would have for ever vanished, and when the memories of these great troubles would have passed away.

MR. DAWSON, in supporting the Motion for the rejection of the Bill, said, he would not follow the noble Lord the Member for Woodstock (Lord Randolph Churchill) through his lengthened speech; but he should refer to the grounds which the Government put forward to justify them in proposing this extraordinary measure. He could not admit that the case of the Government had been strengthened by the statistical evidence produced, such evidence having been shown to be inaccurate in many respects and very carelessly prepared as a whole. Most of the offences which were relied upon were the writing of threatening letters, which, as every hon. Member knew perfectly well, could be and had been produced to order. The frivolous character of most of these documents was clear from the manner in which they were written, a manner which showed that they were not written by persons who could in any sense be said to have the least ground to say that they were aggrieved in any way by the operation of the existing law. So much importance had been attached to some of these letters, which ought to have been disregarded, that they had produced a large crop of other similar documents equally unimportant, and which would not otherwise have been written. The fact was that the really grave crimes and tangible outrages had been few and far between, and that the ordinary law was not only amply sufficient to meet every difficulty that had arisen, but that in almost every case of importance the law had been amply vindicated. He could not for a moment admit that any case had been made out for the enacting of a law which would practically suspend the liberties of the Irish people, and put into the hands of the Lord Lieutenant and his Chief Secretary a power greater and not less illegal than that with which the Council of Ten in Venice, or the Inquisition in Spain, were clothed. He would remind the English Members that their ancestors rose against the Star Chamber, that British justice, reason, and patriotism put down secret inquiries by which the lives and liberties of the English people were bartered away, and the result was to sweep away from the annals of the country so blighting an influence and so irresponsible a power. That power was put in motion by the secret spy and paid informer. Knowing his countrymen, he confidently stated that it was not the rank and file of the police who came out in the silence of the night to commit those outrages which they ascribed to others. It was the spy, the renegade, who came in secrecy and darkness to fill his net with ill-gotten gain. Did the House forget the case of Parker, who, in 1844, when it was sought to sustain an indictment against the Irish people, was a sub-constable in the Constabulary? That remarkable man was so vigilant and successful in the discharge of his duty that the Government rewarded him, and the Grand Jury of his county presented him with an ornamental sword. But it soon transpired that he had himself planned the outrages for which he had innocent people indicted, convicted, and punished. It was he who put arms into dwellings, sent threatening letters, and applied the torch to the stackyard. The case was brought before the House of Commons, an inquiry was demanded and granted, and the result of the investigation was that the Government of the day discharged him and his myrmidons from the Force. Then, again, they knew, no doubt, the history of the detective Talbot, who, while in the pay of the Government, entered Catholic churches, knelt before their altars, partook there of the Sacrament, and so wormed himself into the friendship of young men, and then sold them to the Government, and made a profit out of his vile proceedings. For his own part, he would fearlessly place his life in the hands of the right hon. Gentleman the Chief Secretary; but he refused to place the lives of 5,000,000 of people at the mercy of the Parkers and the Talbots who would appear under the system which would be established by the Bill. The Chief Secretary had said that there was no intention to interfere with public meetings; but suppose some indiscreet man, or it might be some spy, were to give utterance to treasonable language, was he (Mr. Dawson), if he occupied a place on the platform, to be held responsible? The right hon. Gentleman had warned them of a danger which he admitted to exist—namely, the evil results to trade and business caused by agitation. He could not deny that unscrupulous and dishonest men were taking advantage of the present state of things; but this he said—that if the Government, instead of this Bill, had brought in the yet unwritten law of justice, they would have withdrawn all sympathy from the wrongdoer and have armed the law threefold against those who were taking an unjust advantage of the disorganized state of the country. The present condition of affairs reminded him of the adage of Erasmus. As described there—"at the screech of the eagle all other voices were hushed"—this great Senate was cringing before the prevailing panic. The Judges concurred in the panic; the Nobility were shrinking from their responsibility; and now law and Constitutional authority were giving way, and neither justice nor humanity prevailed. Whether justice and humanity prevailed in Ireland might not be of vast importance in the opinion of this Assembly; but there was the Constitutional connection between England and Ireland at stake. That connection must rest not upon bayonets, but upon justice and goodwill. In conclusion, he would remind the Chief Secretary for Ireland that, like Samson of old, he might be strong, he might spread his arms around the pillars; but it behoved him to be careful lest by his grasp he pulled down the pillars of the State and buried the connection between the two countries in the ruins.

Mr. BLAKE said, he much regretted that he had had not an opportunity of taking part in the earlier opposition to the Bill, but he was unavoidably absent. He had listened with admiration to the speech of the junior Member for Northampton (Mr. Bradlaugh); but he feared that no amount of argument would stay the progress of the Bill, the passing of which was a foregone conclusion. He regretted, for the sake of the Government, that they had been betrayed into resorting to coercion, because if they had faults they had virtues also, and among those virtues was, he believed, a strong inclination to do justice to the people of Ireland. The Bill would give rise to very bitter feelings among the Irish race all over the world, not from the nature of the Bill itself, but from the mode in which it was likely to be administered, unless great precautions were taken to prevent those things occurring in the future which, in similar circumstances, had occurred in the past. It should be remembered that the greater portion of the Irish race was now to be found in other countries. He was, a fortnight ago, at the Census Office at Washington, and an officer there told him that there 16,000,000 of people of Irish blood in America, which was two and a-half times as many as in the whole of Ireland. There were also large numbers in Australia and other Colonies, and those of the Celtic race all over the world cultivated sympathy with their brethren in Ireland. It was a mistaken policy to arouse in the minds of the Irish people abroad a feeling that their race was unjustly and tyrannically treated at home. He was the oldest Member from Ireland on that side of the House except the hon. Member for Tralee (The O'Donoghue), and had a vivid recollection of what had occurred in Ireland on the occasion when the Habeas Corpus Act had been suspended, and he would narrate some instances of the absurdities and barbarities that were committed in his own locality, leaving other Irish Members to speak to facts which might have come within their own cognizance. One man arrested was an attendant at a Turkish bath; he was remarkable for his good conduct. All his interest lay in standing well with the local gentry. He was one of the last men likely to be connected with any illegal practices, and yet he was arrested because shortly before the passing of the Act he had bought an old pistol without a lock. This man was incarcerated for some months. Another man, an hotel keeper at Dunmore, had been valet to a Conservative gentleman, and the Queen had no more loyal subject; but because two Fenians happened to go to his house for refreshment, he was torn from his business and lodged in the county gaol for several months. Another man was taken up because he was said to be in possession of munitions of war that consisted of shot, which, as the servant of a wine merchant, he was in the habit of using in the washing out of bottles. He attributed the arrests of these men to the vicious system by which members of the Constabulary were led to look for reward, commendation, and preferment as the result of the number of convictions they had procured. When they sought employment in other spheres, the strongest claims they put forward were the number of persons they had succeeded in convicting; and he never heard of a man being rewarded or expecting to receive any consideration for the fact that he had succeeded in establishing the innocence of anyone who was unjustly accused. All these men were subjected to great barbarities. They were not allowed to communicate with their friends, they suffered because they were not allowed to give directions as to the carrying on of their business, and they were not allowed to leave their cells without being followed by a soldier with a fixed bayonet. These instances of oppresssion were due to the over-zeal of two officers—one, a county Inspector of Constabulary, and the other a local Inspector of Prisons. When he brought the cases of these prisoners before the House, the then Chief Secretary (Lord Mayo) said that if the statements made were true the officers ought to be brought to trial. The prisoners were liberated, but the offending officers were not prosecuted. In an adjoining county a man was arrested because he had succeeded in teaching a monkey to fire a toy gun. What had occurred before was likely to occur again. Unless very considerable precautions were taken, there would be an amount of irritation produced, by the indiscreet zeal of magistrates and policemen anxious for promotion, which would outweigh any possible good that would result from the operation of the Act. One of the most infamous cases was that of the man Talbot, to which his hon. Friend the Member for Carlow (Mr. Dawson) had referred, who obtained the warrant of a water-bailiff and got into conversation with people while they were fishing, and seduced them into illegal conduct. He even took the Sacrament for the purpose of giving the people of Clonmel greater confidence in him, and all he did was done with the full knowledge of the Government of the day. Having the utmost confidence in the good intentions of the Government, and in their anxiety to go as far as they could to set matters right in Ireland, he earnestly appealed to them to take precautions that the Act should be carried out in such a manner that there should be no such grounds of complaint as there were in the cases he had mentioned, and that there should be no needless irritation of the Irish race in every part of the world by stories of tyranny and unjustifiable arrests.

MR. MACDONALD thought it his duty to say a word in explanation of the reason why he would not support the Bill of the Government. He thought the Government ought to have introduced a remedial measure, one that would have brought relief and not irritation. It made him sad to think that the Government had not taken such a course. He had not much to add as to the necessity for taking up this position, because he felt confident that no Government had ever been placed in power so willing to do right and justice to Ireland as the present Government. His confidence was so great in the head of the present Government, that were it not for the surroundings by which he was encircled, he (Mr. Macdonald) almost felt it would be his duty to refrain from saying anything, in order that that justice, which, he believed, it was the Premier's intention to give, should be meted out to Ireland. But was this the right way, he asked the right hon. Gentleman, to meet Ireland's wrongs by inflicting another? There had been no hon. Members on the side of the House upon which he sat who had yet dared to say that Ireland was not greatly suffering, not from wrongs of yesterday, but from the wrongs founded upon a state of things—unless, indeed, it be in some degree our rule in India—to which no country, civilized or uncivilized, could present a similar example. The right hon. Gentleman the Chief Secretary for Ireland had told the House that, to a considerable extent, he had based his case on the history of crimes and outrages contained in the official documents that had been laid before them. He (Mr. Macdonald) knew something of the Irish people, and he knew something of Ireland's internal history, and he ventured to say that he would not give credence to these Reports, or believe one-half of hem. What was the condition of the Irish Constabulary, and the state of mind of the men who framed these Reports? They had passed the greater portion of their time hatching and hunting out plots, and had lived in immediate connection with the landowners, whose tenure of land was so well known to themselves as one of violence and outrage. It had been a career of rapine and crime, and the landlords' power over the Constabulary was productive of little else than the continuance of the hatching of plots, and diverting the attention of the British people and Government from the condition of Ireland and her wrongs. The Chief Secretary had more than once declared he based his case on those outrages, and to the multiplicity of the outrages. He (Mr. Macdonald) ventured to say that the repetition of those outrages, and the manner in which they were subdivided, would be left out of account in a Court of Justice in England even by the great unpaid magistrates. Many of the offences contained in these Returns were of such a frivolous character as to make them quite unworthy of trust and credit. Take the case of running a couple of cartsi nto a bog! What would be said if a poacher had fired two shots and was charged with two distinct acts of poaching for firing these two shots! The right hon. Gentleman also said he would not deal with the question of exclusive dealing as practised in Ireland, although he looked upon exclusive dealing as an immoral act, and he (Mr. Macdonald) thought he said a crime. He was astonished to hear such words fall from the lips of the right hon. Gentleman. One of the greatest movements that existed to-day in England, and which he (Mr. Macdonald) hoped would ere long renovate society to a very great extent, was the co-operative movement, which existed exclusively upon this so-called exclusive dealing. He did not claim the spirit of prophecy; he would venture to predict, however, that any Government which would dare to pass any enactment in respect to exclusive dealing would be hurled from Office in a month. There was no mercy or friendship in not dealing with the question. This, however, was one of the crimes imputed to the Irish people. He would make an appeal to the Premier. Did he think he could stifle the liberties and aspirations of a whole people by a Coercion Bill, or blot out the recollection of wrongs which he himself admitted? He might put down the Land League; but it would re-appear in another and more dangerous form, and not in Ireland only, but elsewhere. They might drive the Irish race by coercion from the banks of the Liffey and the Shannon to the banks of the Mississippi, the Ohio, or to the States of Nevada and Colorado; but Irishmen would still have warm feelings and aspirations for their native country, either with the hope of returning to it themselves or to help to revolutionize it. He implored the Prime Minister, as he wished to keep the two countries united, to give up coercion and bring in a Land Bill of a comprehensive character that would satisfy the Irish people, and re-establish that condition of affairs which they all regretted had been come to in Ireland. At the present time Republicanism was the dominant party in America; let the Democratic wave come, as come it would—to everyone who knew anything of America, this was certain, that means would be taken to create a breach between the two countries if the wrongs of Ireland were continued.

MR. E. COLLINS said, he wished to make a few observations in justification of his dissent from the Government with respect to this Bill, and he felt it the more incumbent upon him to do so as he was an independent supporter of their policy on all questions in which he conceived the interests of Ireland were not compromised. The only speech he had heard in support of the Bill, except that of the right hon. Gentleman the Chief Secretary for Ireland, was the speech of the noble Lord the Member for Woodstock (Lord Randolph Churchill), which was as contradictory and illogical as any he had ever heard from the noble Lord. The noble Lord said that no Government had ever made such efforts for the protection of life and property as the present Government, and, almost in the same breath, that the Prime Minister and the Chancellor of the Duchy of Lancaster were more accountable for the evils and difficulties at present existing in Ireland than any organization whatever. He was greatly impressed by the language of the Chief Secretary when he said that he had never expected to see the day when he would have to introduce a coercive measure for Ireland, but that he felt compelled by a sense of duty to introduce it. He (Mr. Collins) deplored that it should have devolved upon a Liberal Government to bring in a Bill of that kind; but he felt as strongly as any other Irishman that such a measure might be legitimately resisted to the fullest extent consistent with good feeling and the facilities of debate by those who were opposed to it. However strained he might consider the interpretation which Irish Members might put upon the motives and policy of the Government, he felt that millions of the people of Ireland would look upon the measure as one menacing to their liberties, and, no matter from what hands it emanated, it would be received with a feeling approaching to horror. It was a Coercive Bill in every sense of the word, however it might be qualified. At the same time, he felt justified in expressing his opinion that in the hands of the right hon. Gentleman at the head of the Government and of the Chief Secretary to the Lord Lieutenant, though the Bill might be carried into law, it would scarcely be carried into operation. The Government, however, had made a grave mistake with respect to Ireland. If they had directed their attention solely to land legislation and left measures of coercion in the background until they had tried the effect of a good Land Bill, the anxieties and irritation of the last few months would never have arisen, or, if they had, they would speedily have subsided.

MR. W. J. CORBET concurred with the hon. Member for Kinsale (Mr. E. Collins), that the Government had made a great mistake in not dealing with the Land Question before bringing in a Coercion Bill. It had been argued by some right hon. Members on the Government side of the House that the measure now before them was not based on the statistics which had been made public; but, in that case, on what foundation did the Bill rest? As to the Returns which had been presented to the House, and as to the cogency of which so much had been said, analysis showed the inconclusive character of the arguments constantly drawn from them. It was to be borne in mind that the population of Ireland was at least 5,500,000, and that the statistics covered a period of nine months from February to October inclusive. During those nine months there had been 6 agrarian murders—and the temptation to commit this crime was much greater than in the case of ordinary murders—no cases of manslaughter; 13 instances of firing at persons; 5 assaults on the police, and 42 aggravated assaults; assaults endangering life, 7; assaults on bailiffs, 17; and cutting and maiming cases, 4. The total number of offences against the person was only 94, or 1 for every 56,000 of the population; while the total number of crimes mentioned in the Returns was 1,047; but of these 544 were cases of threatening letters, which the Chief Secretary said were of little consequence unless they were followed up by acts. Those facts, so far from exhibiting the prevalence of crime in Ireland, showed, on the other hand, an exceptionally satisfactory state of things. The Blue Book was a deceptive document, and required very careful examination before the truth could be discovered, though the information it contained was stated to be of an official character. He knew, however, something of the way in which information was furnished to the Chief Secretary, and warned them that the most painstaking Englishman could not fail to be more or less misinformed. Were it possible to send over an angel to govern Ireland, if you left him to be operated on by the permanent Government officials—English, Scotch, and Anglo-Irish—who were the bane of that country, and the successors of those who preyed upon its vitals in former times, he would soon be perverted and lose his angelic attributes in the attempt, though probably not quite so soon as the Chief Secretary had done. The advisers of the Chief Secretary—from the Judge on the Bench at Dublin to the sub-constable of a country village—were all of them paid officers of the Crown, who naturally looked to the Crown for advancement, patronage, and pay. Their object was not to serve the interests of the people, but rather their own. An Englishman living in such an atmosphere, and deriving information from such channels in his search for accurate knowledge, would easily be misled by doubtful statistics. They had been accused of obstructing the Business of the House, but he denied it. For 700 years Ireland had been connected with England, and during the whole of that period it could not be denied Ireland had suffered the greatest injustice that one people could inflict on another. There had been confiscation again and again repeated, massacres the most bloody recorded in history, and penal laws so horrible that they appeared to be framed with diabolical ingenuity. The Irish Members were there, not of their own will, for their own Parliament was sold, and their Nationality attempted to be swept away by the Union—a union which was effected by the most iniquitous means—namely, by giving titles to the vain, gold to the venal, and promises to the weak and vacillating. It could not be pretended that there was any present cause for this Bill. He might quote from *The Times* of the 24th of January to show that crime had decreased and that universal peace prevailed, and yet the Government pressed on their Bill. It appeared, also, from the Returns given in the Blue Book of agrarian crimes in the county of Wicklow, that there was an absolute freedom from all serious offences—only one of which was charged, and that charge dismissed—and only 20 threatening letters. He contended, therefore, that it was absolutely absurd, in the face of this want of evidence, to call upon Parliament to pass a Coercion Bill.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. BIGGAR remarked upon the striking mildness of the speech of the Chief Secretary for Ireland in moving the second reading of the Bill as compared with the exaggerated warmth with which he introduced it, and said, that it seemed to him that the tone and language of the right hon. Gentleman that night were quite apologetic. His (Mr. Biggar's) opinion was, that if the Bill depended in any degree for its justification on the right hon. Gentleman's speech of that night, there would have been absolutely no case at all; but he supposed the right hon. Gentleman thought that he might now be moderate in his tone, believing that he had sufficiently prejudiced English opinion by the violence of his first speech. He (Mr. Biggar) protested against any Government, Whig or Tory, coming to that House and asking for extraordinary powers without stating the evidence on which the claim for those powers was founded. If the Chief Secretary had any evidence of a conspiracy, the proper course was to bring the parties to trial, when there would be an opportunity of sifting the evidence in open Court. The right hon. Gentleman said he only wanted to deal with those who planned and perpetrated outrages; but surely the ordinary law was sufficient to deal with such cases. If the Government could not get evidence, they had no right to keep a man in prison many months on mere suspicion. That seemed to him to be a position really untenable, and there were really no grounds on which to come before the House for the powers that they sought. The right hon. Gentleman was very particular as to incitements to crime, and the Bill was at present drawn to catch anyone who had already made the very smallest breach of the law. Anyone who spoke in public was liable, more or less, to make a breach of the law; but was he to have his case decided by officials on the evidence of parties who had a personal or private grudge against him? As to the retrospective clause, it seemed to him that the right hon. Gentleman was exceedingly illogical. Now, one of the propositions of this Bill was that a Return giving the reasons for the arrests of any persons who might be taken into custody under its provisions should be laid upon the Table. That was very proper and reasonable; but the advantage was more apparent than real, because, although the Returns were to be laid on the Table, there was no provision in the measure, or intended by the Government, to give an opportunity for this House to express its opinion with regard to the propriety or impropriety of these arrests and the detention of these prisoners. If justice was to be done, some provision should be made to give facilities for an expression of opinion, so that no man should be unreasonably placed under arrest. The right hon. Gentleman had told them that he had never read the Returns of crime which had been laid on the Table until he saw them in print, the same as the Members of the House of Commons did. If that were so, on what evidence did he make up his mind that a Coercion Bill was required? The right hon. Gentleman had told them he had received a large number of communications in his official capacity as to alleged outrages; but he thought he should be able to prove that the Chief Secretary had been misled and imposed upon by a conspiracy of the Irish landlords, who wished to get a Coercion Bill passed for Ireland. These landlords had really made a thorough fool of the right hon. Gentleman, if he might use the expression. As regarded the county of Cavan, the Memorial of the magistrates which alleged that house-burning and cattle-maiming prevailed, and that shopkeepers, farmers, labourers, and others were coerced into joining the Land League, was entirely misleading. It bore the signatures of only half the magistrates, and it had been repudiated by two of the gentlemen whose names were appended to it—one denying that he had signed it at all, and the other taking exception to its terms as greatly exaggerated, and those gentlemen declared that the county was entirely peaceable. The Roman Catholic Bishop of the diocese also bore testimony to the absence of outrages in the county, and he asked that the Government should further investigate the alleged cases. But, after all, most of the outrages reported from the county by the police were of a trifling nature. The Constabulary had not sent in any serious case to head-quarters. The great bulk of the outrages were sending threatening letters; but those were given up by the right hon. Gentleman the Chief Secretary as a part of his case. He believed that many of those Irish landlords who got police protection required it no more than he did. He had frequently received threatening letters; but he did not ask for protection. He did not think he required it. Those gentlemen who asked for protection must either have very bad consciences or be cowards. In discussing this Bill, reference had been made to the feelings of the Roman Catholic clergy as being opposed to the operations of the Land League, and as being in favour of the Bill; but he could show that in many parts of the County Cavan the priests had supported the Land League, and had joined the people in denying that the alleged outrages had taken place. He might add that the authorities—Guardians and Town Commissioners—in various parts of the country had also declared that outrages had not existed, and that there was no foundation for the statements which had been put forth by the Government. The charge made by the Chief Secretary now resolved itself into two branches—first, the existence of secret societies of which the Government had offered no pretence of evidence; and secondly, that there were certain—but comparatively few—persons of vicious conduct, and who lived in more or less remote districts. The case against the Land League had broken down. The Government acknowledged they were going to introduce a Land Bill, thus showing that the land agitation was thoroughly justified by the facts of the case and by the position of the relations between landlord and tenant in Ireland. The position of the Government was thoroughly illogical. Their expression of regret at the pain they felt in introducing a Coercion Bill seemed rather hypocritical to him. He thoroughly agreed with the noble Lord that if the ordinary law were put into operation, it would be quite sufficient for all purposes. If the Government, instead of pressing forward a Coercion Bill, would introduce a new system of fair play, he thought that it was quite possible there would be a better feeling on the part of the Irish race towards the English Government.

Mr. EWART said, he might speak not only for the town of Belfast, which he represented, but for 1,500,000 of the law-abiding people of Ireland, who repudiated the claims of the Land League agitators. As an Irish Member, he gave his cordial support to the Government on this measure, believing that they had made out an irresistible case. The country generally was in a state of terror. There was, throughout the greater part of Ireland, no sense of security whatever. Black-mail was levied on behalf of the Land League. ["No, no!"] Hon. Members might cry "No!" but he could mention a town in which every trader had been compelled to contribute to the Land League, the greater portion of them very much against their wishes. ["Name!"] He would not give the name. There was no fulfilment of obligations in Ireland; the law was set aside; crimes were perpetrated with impunity; and in a great part of the country civil and religious liberty were unknown. Unless the powers asked for were granted, the state of things would gradually grow worse, and the country would go to ruin. He had listened with surprise during the last few weeks to hon. Members trying to minimize the state of lawlessness. He asked the House not to be led away by the wearisome iterations of the Irish Members below the Gangway. He did not say that those who went about asking for subscriptions to the League carried swords or whips; still, the people subscribed under the terror of being injured in person or property if they did not. He was very sorry to be obliged to support any repressive measure, which he regarded as a slur on his country; but it was only the evil-disposed who would suffer, while every well-disposed person in Ireland would rejoice. During the last 40 years Ireland had made great progress, if an exception were made for the last two years, in which things had been put back by the bad harvests. Making this allowance, it was a fact that the country had gone on improving. Labourers' wages had risen to double what they had been, and the amount of money in the banks, chiefly the savings of farmers, had risen from £6,000,000 to £20,000,000 or £30,000,000. At the same time the population had been very considerably reduced, which showed that the condition of those who remained had been largely improved. [*Ironical cheers.*] Hon. Gentlemen might sneer at the fact that the population of Ireland had been reduced; but he looked upon emigration as one of the greatest boons that Ireland could have, because it benefited those who remained, and it had proved that those who emigrated had improved their own condition by doing so. That progress which he referred to had been arrested; but he was not even now without hope, if they could be relieved from the tyranny which now prevailed. The tyranny of the Land League and of the agitators in Ireland had destroyed the peace, the comfort, and the prosperity of the country, and until it was removed they could not expect better times. He was hopeful that the promised Land Bill would bring good to Ireland, although he had not a word to say against landlords, who, as a rule, had been generous. It would be found that, with few exceptions, the land was let at low rates; and this was shown by the willingness of landlords to submit their rents to arbitration. If the people could be allowed to settle down to plodding industry, Ireland in a short time would become almost a garden, and, instead of being a thorn in the side of the United Kingdom, would become a source of strength and happiness.

Mr. JESSE COLLINGS asked every Member of the House, now that they had to consider the Bill of the Government on its merits, not to be led away by the exasperation that had been raised by the scenes of obstruction they had witnessed in that House. The question was, whether the coercive measures brought forward by the Government, of the severe character that they were now known to be, should be applied to Ireland? A prominent Member of the Government had frankly stated that unless overwhelming evidence could be given of the necessity for the measure, the House ought not to grant the powers asked for. It was a painful position to be compelled to differ from the Government which he wished to support; but he was bound to say he could not find in any utterances of the Ministry any proof of the necessity for the measure. No doubt, each outrage was one too many; but all taken together failed to justify the powers demanded to put them down. No speech had been made which was an answer, or anything approaching to an answer, to the speeches of the hon. Member for Sligo (Mr. Sexton). He had looked through the Return of outrages for November, just put into their hands, and they did not represent an amount of outrage that would warrant a stringent measure such as this. In the six counties of Munster there had been 54 outrages; but of these 47 were letters of intimidation, leaving only seven outrages. Again, many of the crimes in the Returns ought not to be classed under the head of agrarian outrages. Some months ago satisfaction was given in this country, and particularly to the Liberal Party, by the announcement that it was not intended to ask for any special powers; and it was hoped that the Government was going to remove agitation against unjust laws by the removal of those unjust laws. That was the true Liberal policy, and not the procedure that was now proposed. The Government had gone to the armoury of their opponents, and had taken one of the most rusty and ineffective weapons they could find, one which they were not used to, and which came awkward to their handling. The speech of the Chief Secretary furnished the most unanswerable argument that remedial measures should be proceeded with without delay. By remedial measures the Government could take away every reason for the existence of the Land League movement. But, as it was, they were playing into the hands of the agitators. The action of the Government was making right hon. Gentlemen, who were among the best friends of Ireland, to appear as its enemies, and to make Irish Members opposite, who had not been acting in the interests of their country, pose as the saviours of those interests. If the Government had brought in a remedial measure on the 6th of January—coupled with a Coercion Bill, if they liked—Ireland would have been perfectly settled at this moment. They might have sent home their 30,000 troops, and would have had 600,000 Irish tenants banded together in support of that measure, because they knew it would secure for them that for which they were striving. The Government, in introducing the Compensation for Disturbance Bill which was introduced last Session, commenced a policy of justice to Ireland which, had it been passed, would probably have prevented the necessity for the much more sweeping and important measure which was now proposed to the House. In "another place," however, it was thought proper to reject that Bill with a good deal of contempt; and now it had become necessary to bring in a measure of coercion in order to deal with a state of things which would not have arisen if the Compensation for Disturbance Bill had been passed, and a Parliamentary remedy had been found for a state of things which no one could defend. In his speech a few days ago, the hon. and learned Gentlemen the Solicitor General for Ireland drew a distinction between agrarian crimes and those which were connected with social rather than agrarian offences; but he did not seem to remember that agrarian crimes were due in no small extent to the fact that unjust agrarian laws had been passed. Let such laws be amended or repealed, and agrarian crime would cease. It might be true, as the right hon. Gentleman the Chief Secretary to the Lord Lieutenant had said, that the Land League was the dominant power in Ireland; but it must be remembered that resistance, illegal in some cases, to unjust laws had been the precursor of all the great reforms that had been achieved during many years past. He did not think there was any alarming amount of sedition in Ireland, nor could he find any traces of rebellion against Her Majesty. Ruffianism hung like a fringe on the skirt of this movement, as it ever had in movements of this kind. Why should the Constitutional rights of the great majority of the people be suspended in order to inflict the punishment they so well deserved on a few ruffians? They should rather get the people on their side and convert them into a kind of police for watching and checking the movements of these villains. The peculiar circumstances in which Ireland was placed should not be overlooked or forgotten. There was the normal condition of the people, near beggary; there were the bad harvests, and there was the starvation that inevitably followed; next came remedial legislation, and then coercion, which had always failed. Now, instead of resorting to a remedy which might be effectual, they were administering, as it were, a nostrum which had ever been attended with non-success; and were, instead of eradicating, rather driving in the disease. But it was also true that remedial measures were promised, and, after the speech of the right hon. Gentleman the Chancellor of the Duchy of Lancaster, he firmly believed that the remedial measure would be a good one. Conservatives would gladly support a Coercion Bill; but they talked of Land Reform in general language, and his fear was for the state of the country during the time which would elapse from the passing of this measure to the operation of the coming Land Act. The present Bill was one of great severity, because, under it, a man against whom a policeman gave information might, without question asked or proof given, be locked up in prison for a term of 18 months. If the right hon. Gentleman the Chief Secretary for Ireland could be judge of these cases, he would be perfectly satisfied; but how could the right hon. Gentleman overlook and come to a conclusion upon the decisions of the entire magistracy in Ireland in such cases? The question, after all, resolved itself into the sufficiency of the evidence of policemen and local informers. Again, he asked, would not evictions under this terror, as he would call it, re-commence? Would not the bad landlords take what they would know to be their last chance of getting into their hands the property of their tenants? They were informed by the right hon. Gentleman in June last, and the circumstances had not altered since, that the Bill the Government had introduced to prevent evictions was very urgent, because the tenants had a sentimental attachment to their homes—a sentiment, he added, nigh akin to patriotism. The Government brought in the Bill as a protection to the tenant against eviction, because, as was stated from the Treasury Bench, a sentence of eviction was equivalent to a sentence of starvation. In what respect were the circumstances altered? And, he asked, would not the occasion for protection be intensified if they destroyed what he admitted to be the illegal protection the tenants had had for the last few months? No doubt, the majority of the landlords were good landlords; but it was the bad landlords who set the pace and would control the good landlords. It was not so much what might be done, but the power and possibility that were dreaded. He hoped the Government would give some assurance—something in the form of a clause connected with the Bill, to make it a Bill to really protect persons and property, and not an assurance that forbearance would be exercised by the Irish landlords, for that was a very uncertain thing to rely on. He had studied the Irish question for many years, and he believed the outrages committed by landlords exceeded in number those committed by the Land League. He might instance the case of the poor woman who had her rent raised three times in consequence of improvements made by her husband, and her eviction when at church, because she had owed only three years' rent. There were hundreds of cases of this description, as given by the hon. and learned Member for Dundalk (Mr. Charles Russell), in the book which he had recently published. Then there was the case of the late Lord Leitrim, who ordered the roof to be taken off the cabin of a poor man because he had built it without getting permission. What would have been said if the roof had been removed off Lord Leitrim's castle? Would that not have been considered an outrage? If the right hon. Gentleman at the head of the Government were in one hour's speech to tell the story of the misery caused by the Irish evictions and of the brutal and wretched treatment which the unhappy tenants received at the hands of their landlords, no Coercion Bill would be passed by that House. The poor tenants were at the mercy of their landlords, and stood in terror of them or their agents. Under these circumstances, it was not surprising that the poor people, having no protection for their property in the soil from the law under which they lived, should turn to an illegal power which gave them the protection of which they stood in need. In that moment of supreme trial of their allegiance to their Party, the Radicals sitting below the Gangway asked the Government to give them some assurance that the Bill which protected the life and property of one class should protect the life and property of all; otherwise the measure would become a huge rent-collecting machine, and it would be employed for the purposes of injustice. Before they talked about protecting the property of the landlords they must first ascertain to whom the property belonged, and unless they stayed capricious evictions they would enable bad landlords to take that which belonged, not to themselves, but to their tenants. In England men put their savings into banks or different industries; but in Ireland everything was put into the land, and when the landlord seized the land he seized the property of his tenant. It was absurd to talk of freedom of contract in the case of the starving man in the desert, to whom bread was offered, or in that of the shipwrecked sailor, to whom safety was offered; and it was equally absurd to speak of it in connection with the Irish tenant who hungered for the land and who would starve without it. He entreated some Member of the Government to rise and echo the wish of all hon. Members below the Gangway that this Bill should not be made the means of oppressing a poor and numerous class.

MR. GIBSON observed that the Government, in introducing this Bill, asked the House for great powers for supreme objects, and the hon. Member who had just sat down had rightly quoted the statement of Ministers that they were bound to make out a clear case of absolute necessity for this Bill before they asked the House to pass it. But, after the statement which had been made by the responsible Ministers of the Crown, supported as it was by the overwhelming evidence which had been laid upon the Table of the House, anyone who took on himself the immense responsibility of refusing the Government the powers they asked would incur, before the country and his own conscience, a most grave responsibility. The speech of the hon. Member might have been appropriate in the case of the introduction of a Land Bill, and he had quoted three or four cases of hardship gleaned from a mass of correspondence. The hon. Member had dealt with grounds of complaints for which there might have been some foundation before the Act of 1870, but which were unreasonable now. The question of freedom of contract had no connection whatever with the subject of the present Bill. The hon. Member had not attempted to grapple with a single statement which had been made by the Chief Secretary for Ireland, neither had he referred to any of the propositions which had been advanced and demonstrated by the Prime Minister. The hon. Member had not alluded to the speech of the Chief Secretary for Ireland, and he had shrunk from dealing with that of the Prime Minister. There were before the House Returns so numerous that he could not count them, which showed the number of outrages that had occurred in Ireland, and yet the hon. Member had substantially avoided referring to those breaches of the law. In reference to this point it must be borne in mind that, although the Government had placed upon the Table ample information on the subject of these outrages, they must have within their own breasts more powerful, more significant, and more conclusive information than even that which they had given to the country; and this gave the statements of Ministers extreme weight. He, therefore, felt that no person in that House with a sense of his responsibility as a Representative could decline to give the Government the powers for which they asked. True it was that the figures contained in the Returns to which he had alluded had been nibbled at, and that here and there a case of alleged outrage had been struck out; but the broad significance of those figures had remained untouched. It might well be that tens or hundreds of the cases should be struck out of those Returns; but, making the hon. Member a present of the hundreds of doubtful cases, thousands of undoubted cases of outrage would still remain. The introduction of this Bill was further justified on the ground of the absence of convictions in Ireland in cases where offences had been clearly proved, and on that of complete paralysis of the jury system in that country in relation to the class of crimes referred to in the Returns. When the hon. Member said that no new law was necessary, he asked him whether it had not been demonstrated that the old law was absolutely insufficient? He was glad to see that in the last month there was a decrease of crime; but what remained still prevented his feeling of satisfaction from assuming large dimensions. True it was that in January the offences were less than in November and December; but in January, saving those two months, they were greater than in any other month that could be named for a great number of years. To what was this diminution owing? Partly to an anticipation of this measure; partly to the strong statements of the Ministers, showing that they were now resolutely determined to exert the powers of this Bill for the protection of life and property in Ireland; partly, also, to the order issued by the Land League that no more outrages were to be committed. Could there be a more powerful circumstance to guide the House to a right conclusion than that fact? Did it not prove the close and terrible connection between the agitation that was going on and the outrages which marked its course? If the Land League were able to moderate, were they not also able to stimulate? The same power which now, in order to deceive Parliament, ordered outrages to cease, might, when Parliament was no longer sitting, again commence to stimulate to crime. The snake was not scotched or killed; it was merely simulating a state of coma. They were told by hon. Members from Ireland who had spoken to-night that it was hard to hold the Land League responsible for its irresponsible agents; but it was always convenient to have irresponsible agents to do rough work, for which it was not desirable anyone should be made responsible. Now, he had been in Ireland for the last week. He had made the closest possible inquiries among parties connected with every part of the country as to its present condition; and, as far as he could find, the present condition of affairs was this. Things were not much better now; there was no very marked improvement, but there was some; and he had heard that in parts of the country, which in the beginning of the Session were in an apparently hopeless state, there was some break in the cloud and some evidences of improvement. That change was satisfactory; but, although it was satisfactory, many circumstances still went to show that the Government could not relax its vigilance. He knew himself that one of the greatest Insurance Companies in the country refused on any terms whatever, about the middle of last January, to insure a house and offices in the county of Mayo. That was a very painful and a very serious state of things. And, last week, in the Court of Queen's Bench, Dublin, an application was made with success to substitute the service of the Queen's process in County Clare, because it was sworn to the satisfaction of the Judges that no process-server with safety to his life could serve that process. [Colonel The O'Gorman Mahon: Where?] If the hon. Gentleman looked at the public prints he would see the case reported. Another circumstance, reported in the public papers, and one of the most remarkable tributes to the audacity with which these movements were directed, had been mentioned in Court—the House would hardly believe it. In the county of Tipperary, within the last few weeks, the agitators proceeded to put into possession of a farm the daughter of a man who had voluntarily given up possession of it 31 years ago. Thirty-one years ago possession of a farm was given up by a man who owed £250 of rent. He had another large farm, to which he went to reside with his family, and yet at the end of that long period the Land League went to put his daughter forcibly into possession of it! And yet they were told to read Mr. Tuke's pamphlet before they discussed this Bill. The Land Leaguers, up to a few weeks ago, were literally revelling in the plenitude of their power. They had exhausted almost all the old forms of "Boycotting," and had invented new methods which outraged the commonest feelings of humanity. He would read a few lines from a speech delivered at a Land demonstration at Laurence Town on the 16th ultimo, with the Rev. W. Melvin, P.P., in the chair. It was taken from *The Ballinasloe Western News*—

> "Mr. Kelly said he wished to introduce a new order of 'Boycotting,' as he saw the authorities prosecuted men who told the people to have no dealings with a man who would violate the rules of the Land League. The new system he, Mr. Kelly, wished to refer to was this—when any man took a farm from which another was evicted, or otherwise violated the rules of the Land League, and he should die, let the people not bury him. Should any member of his family die, let the people not bury him or her."

And yet they were asked, in the case of an agitation which could through any of its members, responsible or irresponsible, preach a doctrine like that, to say that the matter should be passed by quietly. Were the powers sought by this Bill too great? He said very reluctantly that he feared they were not, The Bill was proposed on the responsibility of the Government. They proposed that the Bill should last till the end of September, 1882. He must assume that that date had been wisely and carefully considered. They proposed to make the Bill retrospective in its operation. He had no doubt that question also had received much and anxious consideration, and he could not accept the grave responsibility of dissenting from it. He believed the retrospective character of the Bill would be attended with beneficial effects; and with regard to those who might otherwise come under its provisions, if they conducted themselves well and properly, the Executive had a discretion—it was only a power that was taken. The hon. Member for Northampton (Mr. Bradlaugh), taking Leinster, which it so happened was the Province most favourable to his argument, asked whether it would not happen that several innocent counties might be brought within the operation of this Bill? But there was a discretion under the Bill by which counties which were innocent should not be included. He was sure the Government would never apply the Act to counties where crime did not prevail. It was said that this was a strong measure. No doubt, it was; but the stronger the measure the greater the security to the country and the House that it would be effectual, short in duration, and also that it would not be used afterwards as a precedent. If they passed a feeble Bill, a halting and imperfect Bill, it would not be effectual for its object; they must give it a longer duration, and the chances were that it was far more likely to be made into a precedent. The mere passing of the Act would operate at once as a preventive, exactly as the Westmeath Act, which was more stringent, had done. The whole time the Westmeath Act was in operation there were only 19 or 20 men arrested under it. The hon. Member for Ipswich (Mr. Jesse Collings) had read the debates of 1833, and spoke of the courts martial sanctioned by the Coercion Act of that time; and yet not a single court martial had been held under the provisions of that Act. Now, if this Bill passed, the persons most likely to be benefited were the owners of the steamers plying between this country and the United States, for the week before it would come into operation there would not be a single cabin in those steamers which would not be engaged. It was not reasonable on the part of hon. Members representing Irish constituencies to cast about them for grounds of attack upon the Judges and magistrates simply because they had done their duty in very difficult and arduous times. He was sorry the hon. Member for Northampton had made certain reflections upon the magistrates of Ireland. The magistrates had done their duty as far as they could. It was no part of their duty to go into the highways and byeways and seek for criminals; they only administered justice to the persons brought before them. And here he would remind the House that the magistrates and the class they came from were the objects and victims of this Land League agitation. The Land League were jealous of all authority except their own, and the sole offence of the Judges and magistrates was this—they would not break the law entrusted to their keeping, and would not suffer it to be violated with impunity. Would hon. Gentlemen select the Judges from the Land League, or would they make any hon. Member who represented extreme Home Rule views the dispenser of law on the Irish Bench? If they did not adopt either of these courses, he was at a loss to see the reason for those attacks. The hon. Member for Ipswich said a great deal about the harsh way the Irish landlords would use the power they would obtain from the passing of this Bill. He was not now going into that matter. But this he would say—that anyone who had a real acquaintance with the country, who had not picked up his knowledge from one or two pamphlets, and who said that the Irish landlords as a class had abused their position, did not understand the very elements of the question. He would say, as a proposition which could not be assailed by anyone who had a knowledge of the subject, that the landlords as a class had done their duty. He would admit that in that class, as elsewhere, as among manufacturers and others, so among landlords there were some, there were several, there were more than he could wish, who were desirous to press their legal rights to too severe consequences. He did not approve of such conduct. He was willing to see any fair legislation dealing with that class; but they were the exception and not the rule. The hon. Member for Ipswich said that agitation gave protection to the tenants. It did nothing of the kind. He believed if the tenants of Ireland were free they would adopt some different means for dealing with their landlords than that which the Land League supplied. What did the hon. Member mean about the Government introducing a little temporary Bill because of some words which dropped last Session from the right hon. Gentleman? Did he mean that a case had not been overwhelmingly made out for restoring law and order? [Mr. BIGGAR: Yes.] He was not asking the hon. Member who had now spoken to answer that question. If the hon. Member could not seriously controvert the proposition that law and order were not observed in Ireland as in any civilized community, he would ask him if he was prepared to say he would not give the protection of that law and order but he would sell it? The hon. Member shook his head; he was frightened by the significance of the argument thus put before him. Then an objection was taken that this Bill interfered with liberty. But liberty rested upon order. In asking for powers to restore and insure order, Government were only seeking to establish the conditions under which alone liberty was possible. At present there was absolutely no scope for independent public opinion in Ireland. The liberty which existed was the liberty that would trammel all social relations—a liberty whose watchword was terror, and whose gaol looked like dishonesty. Was it not better to have a great power wielded by a responsible Ministry than to have it wielded by irresponsible agitators in Ireland? And here he would like to quote a few words spoken by a great Minister, (Lord John Russell), whose name would always be heard in that House with great respect. In the debate on the Address in 1833, Lord John Russell said—

> "What was the worst construction which could be put on the grant of these measures of coercion? Why, that it would be placing power in the hands of those who would be responsible for the due administration of it to Parliament; it would be placing in the hands of persons of responsibility and judgment the means of terror. There existed already the means of terror, unhappily, in Ireland. . . . The poor farmer who wished to obey the law, who was guilty of obeying the law, or, in other words, of paying those dues which the law demanded of him, was compelled to live under a system of terror, the administration of which was not placed in the hands of men of education and responsibility, but of the midnight ruffian and lawless assassin, who were at the same time the outcasts and scourges of society."

The House might be quite sure that the powers which were sought for by this Bill would not be exercised in a Star Chamber fashion; but that they would be exercised by a Government which were subject to the control of Parliament, and with the fullest publicity. The hon. Member for Stafford said that the action of the Land League was only the same system of co-operation that existed in trades' unions. He was not aware that amongst the greatest slanders on trades' unions there had ever been one equal to the analogy between the trades' unions and the Land League.

MR. MACDONALD: I rise to Order. I never mentioned the words trades' union. The right hon. and learned Gentleman will see that I never did mention the words.

MR. GIBSON: But the hon Member had alluded to co-operation, and his remarks contained a slander on the principle of co-operation. He was not aware that in any honest system of co-operation exclusive dealing was considered essential; and he had rather rest the case of trades' unionism on the statement made in the House the other evening by the hon. Member for Stoke (Mr. Broadhurst). The strong powers under the Bill were sought for by the Government with pain and reluctance. ["Oh, oh!"] No man in the House regarded such a Bill without pain. It was objected that the Bill was an interference with that great bulwark of our liberty, trial by jury. No one more appreciated and respected the great principles involved in trial by jury than he did; but trial by jury was sometimes a bulwark of crime, and not of liberty, especially when it was swayed by sympathy for wrong-doing, or dominated by terror. It had been said that evening, and, indeed, on former occasions also, by the hon. Member for Ipswich, that remedial measures ought either to take precedence of coercion, or at least to be coupled with it; but how that could be done he (Mr. Gibson) could not tell. One must go before the other; and if this measure was necessary it should be passed, and passed at once. When a house was on fire, it was useless to cast about for the cause of the conflagration, and all that had to be done was to extinguish it promptly. In the present case there could be no truce with crime, and it was idle to make ineffectual concessions and uncertain compromises. No merely just and remedial legislation would be able of itself to cope with the state of crime that now existed in Ireland. He might recall to the House the words of the noble Lord the Secretary of State for India, when moving, as Chief Secretary for Ireland, for the Westmeath Committee of Inquiry—

> "I cannot see on what possible ground it could be imagined that the establishment of equal and just legislation should have any effect on the minds of men who have a system of laws of their own—not just laws, but the most unjust, the most arbitrary, the most tyrannical, and the most barbarous."—[3 *Hansard*, cciv. 1002.]

It was said it would be better to bring in a Land Bill and to postpone this one; but he did not think so. He felt sure that when the other Bill was brought in, if it should be based, as they had heard it would be, upon principles of justice, it would receive full, fair, and candid consideration. They all knew that, as a matter of history, the Irish people respected uniform justice. In fact, no nation respected it more; but no nation more respected undeviating firmness in its Executive. This was not in the slightest degree a Party question. The right hon. Gentleman the Chief Secretary did not, he was sure, regard him as an indiscriminating admirer. He (Mr. Gibson) had acted with the fullest possible sense of his own responsibility, answering only to his own conscience, for he represented a constituency independent alike of farmers and landlords, and so he was sent here on his own responsibility on these high and important questions. He deplored as much as any man the necessity for this legislation; but he felt compelled, by the statement of a responsible Minister, and the evidence with which it was supported, to support the second reading of the Bill. In his opinion, no courageous man had a right to evade his plain duty, or to court an ignominous popularity by paltering words or hesitating action. Their painful but necessary duty was now to support the Ministers. In doing so they would, at all events, be consoled by the hope that the powers to be conceded by Parliament would be effectual, that they would be short in their duration, and that Ireland would soon be restored to the paths of law, order, and peace.

MR. A. M. SULLIVAN observed, that the Irish Members stood there like accused persons in the dock with manacles of iron upon them. Nevertheless, he was not afraid to speak, even as he must speak now, a word in defence of his country. He wished to protest against the speech of the right hon. and learned Gentleman who had just sat down. That was no Party question, said the right hon. and learned Gentleman. That was true. There had been a marvellous interchange of compliments and of affection between the right hon. Gentlemen on the two Front Benches. The Prime Minister was delighted to find that there was one question on which hon. Gentlemen sitting opposite to him could agree with the Government. Liberals and Conservatives, whether in or out of Office, had fought over Turkey, over Greece, over Russia, over France. They fought over Ireland when justice to her was involved; but they embraced one another when a proposal was made to coerce her. Upon one Irish subject, and upon one alone, were the two Front Benches ever in league in the House of Commons. Not always in league, indeed, for there was one Party which was ever ready to protest against coercion when out of Office. Sitting now on the Treasury Bench were the men who had made the most noble resistance against coercion for Ireland. They were not then holding Office under the Crown; but now it was an instructive fact that when the right hon. and learned Gentleman who had spoken last made a protest against the redress of admitted Irish grievances, his words were cheered to the echo not only by the Tory Gentlemen who sat behind him, but by the Gentlemen who sat behind the Ministry. That revealed to them the very remarkable reason why coercion was to precede redress and reform. Ministers must have known that amongst their followers there were scores of hon. Gentlemen who wished that a thorough and complete measure of Land Reform should precede coercion; and that, if a measure of redress had preceded coercion, there was a public opinion in England that would have made the measure worthy of consideration. But by running the Coercion Bill before the Land Bill, the debates on the present measure would enable the hon. Gentlemen who sat there to destroy any desire there might be for an honest Land Bill by fabricating stories of crime and outrage, discountenancing beforehand the little morsel of reform that might be offered from the Treasury Bench. Coercion, they had been told, was not punishment. What was it, then? The right hon. and learned Gentleman knew that Trinity College, Dublin, which he represented, was not likely to be made a proclaimed district under the "Algerine" measure now before the House. Accordingly, he exhorted the Ministers to go on, and thought that harm had been done through Irishmen not having been coerced enough. The right hon. and learned Gentleman recalled to his mind the words of *Hallam*, who said—

> "Such has ever been the language of the supporters of tyranny: when the oppression does not succeed they tell us it is because there has been too little of it."

Had Ireland not had enough coercion? How many measures of redress could the right hon. and learned Gentleman show to set against the dreary catalogue of coercive statutes? How long had Ireland been allowed to breathe a Constitutional life? Ministry after Ministry had come to the House asking for Acts which were a disgrace to any Legislature; and yet the right hon. and learned Gentleman told them that no harm would ensue, that all the persons about to be arrested under the Bill and imprisoned without trial by jury would have a fair trial in the House of Commons. That, of course, was impossible, and those who made the assertion knew it to be so as well as he did. That overweighted Assembly, rendered impatient enough already of Irish debates, and which was hard set to find sufficient time for its legitimate Business, was to have thrust upon it the additional task of trying the cases of those unfortunate Irishmen who might be arrested without trial and denied all justice. It was the bitterest mockery for the Government and their Tory supporters to tell them that they would be protected by the kind of trial they would have of their case on the floor of that House, instead of the trial by jury, which was the birthright of every Englishman, at all events. The language of tyranny was advancing rapidly in these days of despotism. They had heard the right hon. and learned Gentleman the late Attorney General for Ireland inveigh against trial by jury. It was a sign of the debauchery of the public mind that was proceeding every day on these Constitutional rights, when a man in his position was not afraid to stand up and inveigh against trial by jury. The right hon. and learned Gentleman evidently wanted the Star Chamber revived. They talked of "Boycotting," and a shudder went through the House when it was mentioned that some persons—two cases in all Ireland—had been branded by miscreants. What did the Star Chamber do? The outrages in Ireland were committed by ignorant peasants. What did the Star Chamber do to Mr. Prynne and the Rev. Mr. Layton? They branded this clergyman with red hot iron on each cheek, they slit his nose. ["Oh!"] "Oh!" cried an hon. Member who had not read Constitutional history; his nose was slit, his ears were cut off, and he sat in a pillory for a week at Westminster. This was not done by Kerry peasants in the night, but in London, because juries would not give verdicts that would sanction crime. If the Lord Lieutenant and the right hon. Gentleman the Chief Secretary for Ireland would give an undertaking that every case would be investigated on the spot, and that the witnesses on each side would be heard, he could understand that there would be some justice in the present demand. He believed the noble Lord who was Lord Lieutenant to be an amiable and upright man; but he was not more able nor a greater lover of justice than Lord Spencer or Lord Kimberley; and yet, under their *régime*, great acts of injustice had been inflicted. Had the House read the speech of Mr. Roebuck on the case of Patrick Casey, when the old man eloquent rose quivering in every never and asked whether it was possible that such a scandal could have happened? But it had happened. Patrick Casey was a miserable victim who was torn from his family, never allowed to know his accusers or the accusation brought against him, thrown into prison and there forgotten. He was shifted about from prison to prison, so that his father, weak and in rags, was worn out in vain efforts to discover the dungeon in which his son was buried. But this was done under a Lord Lieutenant more able than the present, and at a time when the Chief Secretary for Ireland was fully as well disposed to Ireland, and perhaps better acquainted with it than the present holder of the Office. During the incarceration of Casey a change of Ministry took place, and there was reason to believe that a change of Ministry would take place during the operation of the present Bill. But in the change of Ministry Casey was forgotten, and he lay for three years in gaol without accusation or trial until a Member of that House called attention to the outrage. Then there was the case of John Brady, John Rice, and Henry Hughes, tried for Ribbonism, and sent to the hulk for seven years on the evidence of the infamous informer, Hogan, who avowed that with his own hand he concocted 66 Ribbon documents and distributed them, then brought into the dock the victims whom he had sworn in. But Ireland was full of the memories of police spies and informers. The right hon. and learned Gentleman said the police were a respectable body. In Dublin Castle the detestable trade of the informer was well known. There were departments in the spy regions of Dublin Castle unknown to the Lord Lieutenant and the Chief Secretary. ["Oh, oh!"] He knew that that House regarded the speeches of Irish Members as efforts of imagination. But he repeated, there were departments which the Lord Lieutenant was never allowed to become acquainted with. He would refer to a book recently published by Mr. Porter, who for 44 years had been a police magistrate at Dublin. He was still alive, and had published a volume of reminiscences, relating his experience as a police magistrate until the close of the Fenian trials. He described in that book the way in which the Crown informers held mock trials, in which there was examination and cross-examination of candidates to see how far they could swear and how far not. The author was, happily for himself, beyond reach of the Government, as he had been superannuated. He was a gentleman incapable of falsehood. That showed what was possible if Constitutional safeguards were suspended. Of course, the Lord Lieutenant would not hear of all that, nor would the Chief Secretary. The present Chief Secretary was an able man, but he was a weak man; and although he had gone to Ireland with the best intentions, he had been too long under the influence of Dublin Castle. Lord John Russell, who seemed almost to have exercised the gift of prescience, alluded to similar cases. He had said many years ago that English statesmen went to Ireland full of good feelings and dispositions, but were soon drawn into the charmed circle and became hostile to every project of reform. Thus for 70 years had Land Reform been postponed. He would refer to the period of 1844, that of Lord Wellesley's Administration. Lord Wellesley had tried to do his duty, as also had Lord Anglesea, who preceded him. But even they were influenced by the official element at Dublin. Could there be a greater contrast than that which was exhibited between the present Chief Secretary before he went to Dublin, and when he expressed such generous sentiments to Ireland, and when he had come in contact with the system then established? But he would recommend to the Chief Secretary the words of Lord Wellesley when a clamour for coercion was raised by the landlords of Ireland. "I will not," he said, "throw a whole people into the hands of an angry magistracy." What a contrast did those noble words present to the miserable capitulation of the Chief Secretary. What a sad collapse for the Liberal Government to return to the detestable system of the police spy and informer. As to terrorism, there was no terrorism, except in the guilty minds of unjust landlords. But for that injustice it would have been impossible for any League to have carried away the feelings of a whole population. The Land League, it was said, had called upon the people to repudiate their contracts. But it was absurd to talk of freedom of contract with regard to land in Ireland. From the Report of Lord Devon's Commission and other equally important records hon. Members would learn that public officials stated 50 years ago that there was no freedom of contract between occupiers of land in Ireland and landowners. Some people said—"Why do not tenants give up the land if they will not pay rent?" Surely those who thus argued forgot that an Irish tenant built his house, made the drains, and made the fences? Let hon. Members read the statements of Mr. Nassau Senior, the Commissioner of Irish Poor Law, upon this question. What did that official say? Why, that with a few exceptions, the farms of Ireland were the creations of the Irish tenants. Had not Lord Clarendon also called the system of landlordism in Ireland a felonious system? The landlords in the reign of Charles II. undertook to pay 5*s*. in the pound on the valuation of their estates in lieu of the charge to which they had been subject for the maintenance of the Army and Navy. And they paid this still on a valuation made in the reign of William III. Could it, therefore, be justly said that tenants were paying too little rent, when they paid according to a valuation made in 1852? The tenantry of Ireland offered to pay an honest and more than honest rent. Did not the landlords pay income tax on Griffith's valuation? He would draw the attention of the House to the words of Lord Chief Justice Pennyfather—

> "Every Act on the Statute Book referring to landlord and tenant in Ireland has been in the interest of the landlord—not one in the interest of the tenant."

There had been agrarian crime in Ireland ever since the hateful Land Law; but were not the English Parliament weary of this work of coercion? Coercion had a fascination for some hon. Gentlemen; but if they had had a taste of it they would not be so ready to apply it to others. There was not an Englishman in the House who would dare to face his constituency after proposing a suspension of the Habeas Corpus in his own country, stained as was her history with crime and outrage far beyond any in Ireland. And now they knew very well what was going to be the end of all that. With the most benevolent intentions they would plant their feet on the neck of the Irish people. Any chance they had of putting down agrarian crime in Irelasd was by stripping it of popular sympathy. He said agrarian crime, for there was no other crime to speak of. There was none of that debasing and degrading crime that marked the decay of public morality. The social ties in Ireland were intact. No Divorce Court plied a busy trade amongst the Irish people. The peasant home life was pure. It was agrarian crime alone which could be called excessive; and when they found crime springing from a matter of contestable law, the Records of that House afforded them noble examples how to deal with it. They knew how crime ceased in the factory districts of Lancashire when Lord Ashley passed the benefient Factory Law; and he (Mr. A. M. Sullivan) believed in his soul that had the Government introduced a beneficent Land Bill the day they brought in that Bill, crime would have disappeared from Ireland, and the scenes which had made that Parliament something which calm-minded Englishmen would yet deplore would have been spared to them all. What had occurred had not been more painful to English Members than to hon. Members from Ireland. But they, at any rate, could say that, attempting controversially to vindicate their character, they believed in their inmost soul that they were making a stand against a proposal which would increase crime in Ireland, and cause events to happen within the next six months that they would shudder at. If Her Majesty's Government had taken that other road, oh! what a chance was before that Treasury Bench. Never, during the last 70 years, had there been upon that Treasury Bench men to whom the Irish nation looked so confidently for redress and protection. There was joy in many thousands of Irish homes at the thought that Mr. James Lowther was exchanged for the right hon. Gentleman the Member for Bradford; for the latter had been known in times of suffering as one who came to succour and defend them. Coercion! Had right hon. Gentlemen taken the road that lay to justice or redress, they would have found themselves in the path of conciliation and tranquillity. But now, how would they strip crime of sympathy with Ireland? How would they attach to that Coercion Bill any support from the moral qualities of the Irish people, when they had attempted, in that high-handed fashion, to rush it through the House, despite the protests of the Irish Members? No; they had arrayed against the Bill the public sentiment of Ireland. There was no man of intelligence or of influence in the country who would not deny to it the smallest particle of sanction; and for himself he said that if they made it law, they could not make it binding on his conscience. They knew they pleaded in vain. They knew the story of coercion was too plainly written on the bloodstained pages of the English Statute Book. In their worst days they did nothing worse than when they passed the Westmeath Act; and now the most liberal of Liberal Governments that ever sat in that House had been deluded by fabricated outrages into a line of action the ultimate end of which, to him, at all events, was quite clear. There was only one Party in that House which would profit by the error of the Government in giving priority to coercion rather than to redress. That Party was quietly chuckling over that dangerous error. It was the Party which hoped once more to sit on those Benches, and to attain to power on the ruin of the Liberal Party through its disastrous Irish policy. They would see, before many years, that guilty policy accomplished, and the Liberal Party once more in Opposition, repenting of the error and the crime which they were about to commit that night.

Motion made, and Question proposed, "That the Debate be now adjourned," —(*Sir Rowland Blennerhassett.*)

Motion *agreed to.*

Debate *adjourned* till *Monday* next.

House adjourned at twenty minutes after Twelve o'clock till Monday next.

HOUSE OF LORDS,

Monday, 7th February, 1881.

MINUTES.] — SELECT COMMITTEE — Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod, *appointed* and *nominated;* Standing Orders Committee, *appointed* and *nominated;* Committee of Selection, *appointed* and *nominated.*

PUBLIC BILLS — *First Reading* — Alkali, &c. Works Regulation * (29).

Referred to Select Committee — Rivers Conservancy and Floods Prevention (15).

AFRICA (WEST COAST)—WAR WITH ASHANTEE.—QUESTION.

LORD BRABOURNE: I wish to ask the Secretary of State for the Colonies a Question of which I have given him private Notice—namely, Whether he has any further information to give than that contained in this morning's papers with reference to the threatened War with Ashantee?

THE EARL OF KIMBERLEY, in reply, said, it would probably be satisfactory to his noble Friend (Lord Brabourne) if he read a telegram which had been received at the Colonial Office from the Lieutenant Governor of the Gold Coast. It was as follows:—

"Telegram from Lieutenant Governor Griffith to the Earl of Kimberley, dated Gold Coast, January 24, 1881.

(Received Colonial Office 3 A.M., February 5, 1881.)

"It is with the deepest regret I have to state to your Lordship my belief that the Ashantees intend to force another war upon the Gold Coast Colony, and that they may commence hostilities at any moment. On the 18th of January an Ashantee Prince, who had escaped from Coomassie, entreated British protection; next day a messenger from the King of Ashantee, bearing his gold axe, and accompanied by ambassadors, one being Saibee Enquie, who signed the treaty of peace with Sir Garnet Wolseley at Fomunnah, requested an audience, when they demanded that the refugee should be given up to them. I declined, whereupon Enquie, supported by the others, stated that if I did not surrender the man the King of Ashantee would attack Assim. I called Enquie's attention to the Treaty, Articles I. and III., and warned him that the consequences of breaking them would be very serious; the messenger and suite then left, but subsequently I instructed them to remain at Cape Coast until to-day, considering it best to put my reply to the King's demand in writing.

"The refusal of a demand from Ashantee, accompanied by the gold axe, means war on the part of the Ashantees, that they will cut their way to the accomplishment of their purpose. The gold axe was sent down in 1873, and war followed. All chiefs, public officers, and respectable merchants warned me to prepare for war with the Ashantees, and that it is imminent. I am very loth to believe it, but, nevertheless, am taking every available measure and precaution in my power for the protection of the Colony. I shall carefully avoid provoking hostilities and shall act strictly on the defensive."

He might add that no information had reached Her Majesty's Government previously to the receipt of that telegram of the probability of a war with Ashantee. They had heard vague rumours of possible misunderstandings; but nothing whatever indicating that anything serious was likely to happen. The Lieutenant Governor stated that he had available 1,000 men, composed partly of West Indian troops and partly of Native Houssa police, and Her Majesty's Government had ordered reinforcements to the number of 400 West Indian troops to proceed to the Gold Coast to assist the garrison.

RIVERS CONSERVANCY AND FLOODS PREVENTION BILL [H.L.]

(*The Lord President.*)

(NO. 15.) COMMITTEE.

Order of the Day for the House to be put into Committee read, and *discharged.*

Moved, "That the Bill be referred to a Select Committee."—(*The Lord President.*)

LORD **INCHIQUIN** hoped that the noble Earl (Earl Spencer) would insert a provision to extend the Bill to Ireland, and asked him whether he would do so?

EARL **SPENCER**, in reply, said, he regretted that his noble Friend (Lord Inchiquin) had not given him a longer Notice of his Question, and was afraid that he was not able to give him a satisfactory answer. From what he knew of the matter he was not disposed to agree in the view of his noble Friend that the Bill should be extended to Ireland. In Ireland there were a great number of Acts bearing on the question, and the interests involved in it were even vaster than those which existed in England; but there was now sitting a Royal Commission on the navigation of rivers in Ireland, and the Government expected a very valuable Report from that Commission. He could not help thinking, therefore, that it would be better to deal with the case of the Irish rivers in a separate Bill.

On Question? *agreed to.*

And, on February 8, the Lords following were named of the Committee:

Ld. President.
D. Somerset.
D. Bedford.
D. Marlborough.
E. Derby.
E. Sandwich.
E. Jersey.
E. Camperdown.
L. Ashford.
L. Monson.
L. Meldrum.
L. Penrhyn.
L. Norton.

And, on February 10, The Marquess of Lansdowne and The Earl Beauchamp *added.*

The Earl of Kimberley

CENTRAL ASIA — CORRESPONDENCE BETWEEN RUSSIA AND THE AMEER OF CABUL.

QUESTION. OBSERVATIONS.

THE EARL OF **LYTTON**: My Lords, in pursuance of a Notice which I have given to the noble Earl the Secretary of State for Foreign Affairs (Earl Granville), I wish to ask, Whether Her Majesty's Government have any objection to produce the documents which, to the number of 20, I have enumerated on the Notice Paper, together with any other Papers not yet published, relative to the proceedings of the Russian authorities at Cabul? I am the more anxious for the production of those documents in consequence of some remarks made by the noble Duke the Lord Privy Seal (the Duke of Argyll) last month, when alluding to the policies pursued in Afghanistan by the late and the present Governments. I have no reason whatever to suppose that Her Majesty's Government will make any objection to the production of those Papers; but I think it would be only respectful to the House if I briefly state my reasons for asking that they should be laid on the Table, especially after the remarks of the noble Duke. I have rather gathered from the remarks of the noble Duke that Her Majesty's Government attach no great importance to these documents; but your Lordships will remember that the late Government of India did attach considerable importance to them, and that, in point of fact, they constituted a material part of the evidence upon which, in accordance with the advice most earnestly given to that Government by Frontier and other high authorities throughout India, they, after lengthened and deliberate consideration, came to the unanimous conclusion that British military control over South-Western Afghanistan ought on no account whatever to be either abandoned or relaxed. That conclusion has been set aside by Her Majesty's present Ministers. The noble Duke has told your Lordships that it is his most confident opinion that these Papers only prove that the late Ameer of Cabul did not coquette with Russia until he had been violently threatened by the Government of India under the late Administration. This is an opinion the discussion of which must be very lengthened and minute, and, therefore, at present, I am not going to discuss it; but, be that opinion just or the reverse, it is, in either case, beside the practical question of the relations between the Ameer and Russia, that was forced upon the attention of the late Government of India by the discovery of these Papers, and which again has been raised in a very practical form by the recent decision of the present Government with regard to Candahar. The question is not whether the Ameer of Cabul coquetted with Russia, or why he did so; but what are the most effectual guarantees which can be taken, and ought to be taken, in order to safeguard Her Majesty's Indian Empire against the very serious dangers which have undoubtedly been revealed by the discovery of the Papers in question? If the question itself is to be discussed and decided in your Lordships' House at any time, I hardly see how we can come to a decision before these Papers are laid on the Table. I wish to point out that they are not Papers which have been received in confidence from any foreign Government. They are Papers which, from their nature, must be known, prospectively and retrospectively, to the only other European Government concerned. These Papers were forwarded by the late Government of India to England with a view to affording information to Parliament at the proper time; but Her Majesty's late Government thought that, while diplomatic questions and military questions were still pending, the time for the issue of those documents had not arrived. The late Government of India concurred in that view; but we acquiesced in the postponement of their production in the belief that the steps taken on our judgment, after a full and careful study of those Papers, would not be suddenly swept away and put aside by Her Majesty's Government. The situation is now, however, entirely different, and the excuse I referred to cannot be urged now. The war in Afghanistan has been brought to a conclusion, and, so far as we are aware, there are no diplomatic questions pending, and there is no military operation on foot in Afghanistan; while, in the meantime, the whole action taken by the late Government of India with reference to these Papers has been publicly repudiated, and its propriety has been impugned by those upon whom its continuance depends. Therefore I think, on behalf of the late Government of India and on behalf of all my Colleagues in the late Government, I may fairly ask that no portion of the evidence on which our action was taken should be withheld from the knowledge of your Lordships, when the opinion of your Lordships is asked on the reversal of our policy; and in that belief I feel quite certain that I can confidently rely on the personal sympathy, and also, I hope, upon the official concurrence of the noble Earl to whom I address my Question.

EARL GRANVILLE: My Lords, the Papers referred to by the noble Earl (the Earl of Lytton) in his Question were found at Cabul during our occupation of that city. The discovery was very loudly announced both in India and in this country, and great importance was attached in speeches and in a portion of the public Press to these despatches. My noble Friend the Lord Privy Seal (the Duke of Argyll), very naturally at the time, asked in this House whether the Government had any objection to produce them, and that the noble Viscount opposite (Viscount Cranbrook) positively refused, and pointed out that the Government had taken particular care not to allude to them in debate, in order to avoid the necessity of producing them. On the 10th of January this year, the noble Earl opposite (the Earl of Lytton) called the attention of the House to the affairs of India, and three or four days before he gave me Notice that he would ask me to produce these Papers, and that Notice rather embarrassed my noble Friend (the Marquess of Hartington) and myself. We saw no objection to the production of these Papers; but the late Government must have had some good reason for keeping them secret, although we did not know what it was, and we were not aware of anything having occurred since the refusal which made it right to do that now which would have been wrong at the previous time. We were relieved, however, of any difficulty by the noble Earl (the Earl of Lytton) writing to me that he withdrew his Notice. In the able speech which he made at the time, while specifying only the despatches which had been produced, he alluded to the communications which had passed during three years between the Russian authorities and the Ameer of Cabul. The noble Duke (the Duke of Argyll), in reply, made a more particular allusion to the despatches which had not been produced, and stated his opinion of them; but I am not aware that he said they were of no importance. The noble Viscount (Viscount Cranbrook) followed, and stated that he had no objection to their now being produced; and, under these circumstances, we have no objection whatever to their production. In August, 1879, the noble Earl (the Earl of Lytton), in Council, recommended to the Home Government to communicate with the Russian Government on the subject of the communications with the Ameer. I believe that was not done by them; but last summer I had an opportunity of doing so. There were reports that Ayoub Khan had Russian officers in the army which had defeated the British force. This accusation was denied by the Russian Government, and I am bound to say that the denial was confirmed by the concurrent information which was received from various quarters; but in alluding to these reports, I said to the Russian Ambassador that my noble Friend the Secretary of State for India had been reminded by them of the communications which had taken place between the Russian authorities in Central Asia, and which had been found at Cabul at the time of the British occupation. Prince Lobanoff expressed a strong wish to see these Papers; and I gave him copies of the most important letters between General Kauffmann, General Stolitieff, and Shere Ali and his Ministers. In October Prince Lobanoff spoke to me again on the subject, and informed me that General Kauffmann had had strict orders given to him to abstain from any interference in Afghan affairs, and to avoid any action which could give ground for objection on the part of the British authorities. He had been directed to refrain from any communication even of a merely complimentary character with Abdurrahman, and he had been called upon to forward to the Home Government at St. Petersburg duplicates of all the letters which had been addressed by him formerly to the Ameer, to Shere Ali, and his Ministers. Last month Prince Lobanoff reminded me of what he had told me in October as to the instructions sent to General Kauffmann, and that duplicates of all Correspondence with the Russian authorities had been sent to St. Petersburg, and he brought with him, in a portfolio, all these Papers. His Excellency remarked that on comparing them with the translations which I had handed to him some months ago, he found that the latter were incorrect in places, and required revision; that in one letter, of which two versions were given, a whole sentence seemed to have been added in one version which did not exist in the other, or in the original; and that some confusion appeared to have been made between the words "friendship" and "alliance," the latter expression having been substituted in several places for the former. His Excellency then remarked that a perusal of the Correspondence showed that nothing had been written which was not simply of a complimentary character, and known and not objected to by the Indian Government until 1878, when the Russian Government believed a war with England to be imminent. I said that there were some very disagreeable passages in the letters written subsequently to the Treaty of Berlin. Prince Lobanoff replied that at the time when the letters I referred to had been written the news of the signature of the Treaty had not reached General Stolitieff. As soon as the Treaty had been signed, orders had been sent to General Kauffmann to abstain from any proceedings of a nature unfriendly to England. It had been impossible to refuse to receive Shere Ali, and he had been shown the hospitality which was proper under the circumstances; but he had not been allowed to go to St. Petersburg as he wished. On the part of Her Majesty's Government, I must again say that there is no objection to lay the Papers asked for on the Table.

The Earl of LYTTON: I need hardly say that I do not rise to reply to the observations made by the noble Earl the Secretary of State for Foreign Affairs (Earl Granville); but I think that it will be convenient to the House that I should give Notice of my intention to take an early opportunity of submitting a Resolution to your Lordships upon the subject of the contemplated evacuation of Candahar.

The Duke of ARGYLL: My Lords, I desire simply to say that the noble Earl (the Earl of Lytton), in the observations he has made to the House in reference to this matter, has given a somewhat erroneous account of the use made by myself of these Papers. He has, in fact, given two accounts; one that is tolerably correct, and the other somewhat, if not altogether, inaccurate. The noble Earl stated that I referred to the Papers for the purpose of proving that Shere Ali had not been in any serious communication with Russia until the noble Earl had made threats of a very serious kind towards him, and that is the use I did make of the Papers. The other use attributed to me, and which is incorrect, is that I did not attach any very serious importance to them. That I never said, and the noble Earl is quite right in challenging the Government to produce those Papers, if he considers them of use in any argument he may wish to address to the House in defence of the Government of India over which he presided. But, my Lords, I would point out to the House that as to the Papers now moved for, and which I challenged the late Government to produce, I did not see why they should be withheld, nor do I see why they should be now; but I would wish your Lordships to bear in mind that they have no possible bearing upon the question of Shere Ali's conduct before the threats of the noble Earl, because the first is dated June 14, 1878, 14 months after the noble Earl had suspended friendly relations with the Ameer. With regard to the motives which actuated the late Government in withholding the Papers when I challenged them to produce them, I have no authentic information. As my noble Friend the Secretary of State for Foreign Affairs (Earl Granville) has stated, in assenting to the Question of the noble Earl for their production, they do not bear much on the conduct of Shere Ali; but they do on the conduct of Russia and her commanders in Central Asia. I think myself that the production of those Papers will have a very injurious effect on the public mind, and especially as to the conduct of Russia in that particular; and I desire to point out to this House, and through your Lordships to the country at large, the blanks and vacancies which they leave in regard to the history of our relations with Russia. Those blanks will not be supplied if the Papers are produced; but I think they should not be omitted, while it is the privilege of the Members of Her Majesty's Opposition to ask Questions of the Government of the day. By Parliamentary usage the Government have no similar privilege of asking Questions of Her Majesty's Opposition; but if I had had that privilege, I should have liked to have moved for the production of some documents which the noble Earl had in his possession, and which, so far as I know, he has never produced to Parliament, and which have never been moved for. For instance, in October, 1876, not many months after the noble Earl went out to India, he sent to our Native Agent at the Court of Cabul to come down and explain certain matters in connection with Shere Ali's conduct, and in obedience to these orders our Native Agent did see the noble Earl. Now, that was a very remarkable interview with our Native Agent. It took place in October, 1876. And what do I find the noble Earl saying with regard to Russia?—

> "If the Ameer does not desire to come to a speedy understanding with us, Russia does, and she desires it at his expense."—[*Afghanistan* (No. 1.), 1878.]

My Lords, I want to know upon what grounds the noble Earl made that assertion. Has he any documents to produce? I presume that he would have some document which would give evidence of Russia's desiring to come to an understanding with England for the extinction of the Ameer. For a Viceroy of India to be speaking thus solemnly to our Native Agent, he must have had some document, some kind of evidence of what he was asserting; but as yet none has appeared. At least, I can find no such document, nor one which will at all bear out the statement, or anything of the kind. But there is a most extraordinary paragraph in the celebrated despatch of the noble Earl, dated the 10th of May, wherein, for the first time, he seems to have given an account of his whole conduct towards Russia and towards the Ameer. Your Lordships will agree with me, I think, when I say that the noble Earl has therein laid down a very extraordinary programme. I give it from memory, as I have not the despatch itself with me; but in it the noble Earl states that he has come out to India after a personal interview, not only with the Prime Minister—which, to say the least, I thought a curious way of expressing it—but also with the Ambassador of Russia. It therefore appears that the noble Earl was in communication with the Russian Ambassador before he went out to India. When, therefore, I read this account of Russia's desiring to come to an understanding with England, I thought that the noble Earl had been urging on the Russian Minister, in his personal interview to which he had referred, his desire to come to some understanding; and the noble Earl distinctly intimated to the poor unfortunate Shere Ali that no previous Treaty or promise with former Viceroys or with England would be any impediment to Russia wiping out the Afghan Kingdom. I wish to know if the noble Earl has any Papers to produce which will justify that assertion. And another question I should be glad to ask if I could, but I have no right to do so; and, consequently, it is but right that I should point out how vacancies and blanks occur in those Papers, and in the Correspondence and communications to Russia, blanks which those Papers will leave unfilled, whether, in the interview with our Native Agent—in which he made the announcement that Russia was on such a good understanding with us, he sent back to the Ameer to say he (the noble Earl) had ordered a bridge of boats to be constructed across the Indus, and that he was collecting large quantities of stores at Kohat, upon the Afghan Frontier — the North-Western Frontier of India; where also, at the very time, at Rawul Pindee, a very considerable army was being concentrated. Now, my Lords, when all this was taking place, news reached England to that effect; and I ventured to ask the noble Marquess (the Marquess of Salisbury) who was then Secretary of State for India, whether it was true, and whether the Viceroy was not preparing some great military expedition either against the Kingdom of Afghanistan, or against some portion of Central Asia. This was the rumour that was circulated at the time when this news arrived. The noble Marquess informed me that he had not heard of anything that was going on, and that he knew nothing of the rumour to which I referred. Well, my Lords, that rumour was perfectly true. The noble Marquess had not heard of it; but I had, and I heard it from officers who had been eye-witnesses of the concentration of troops which was going on, and of large stores that were being collected there. They believed this, and we have it that as early as October, 1876, the noble Earl had in his mind the preparation of an army for the invasion of Afghanistan or Central Asia. All this was then not a pure myth. I should like to ask the noble Earl, if anything of this kind was going on; but whether it was or not, it is quite certain that there was a widely-spread belief in England, and a widely-spread belief also in Russia, that in 1876, nearly two years before the Mission of Russia, the noble Earl had had it in his mind to concentrate a large army to counteract what he said were Russian intrigues. If all this was not true, an opinion was widely spread in England that it was; and all this justified Russia in her suspicions, and it justified her in taking precautions against us, just as much as we were justified in taking precautions against any intrigues of General Kauffmann. I would also remind this House that in October, 1876, when those rumours were being spread, the Government which the noble Earl represented was in close communication with the Russian Government. They were in daily communication with the Russian Government, for the purpose of imposing upon Turkey the will of Europe in regard to her European Provinces. I wish to point out, further, that it is abundantly proved by those Papers that up to 1878, when Russia was practically on the point of war with England, and when she had, in effect, resolved to take hostile measures against England at Cabul, there is no proof that the Ameer was hostile to England, owing to any unfriendly influence of Russia previous to the arrival of the noble Earl in India.

Lord DENMAN said, that the course that had been pursued in India by the late Government was in entire accordance with all our traditional policy pursued by the first Earl of Minto, by Mountstuart Elphinstone, and by Sir John Malcolm in India; but the present Government, by attempting continually to disavow the policy of the late Government, were doing all they could to unsettle the minds of the Natives; and the sooner they desisted from their late tactics, the sooner would peace and order be restored in every part of Her Majesty's Dominions.

SOUTH AFRICA—THE TRANSVAAL—INSURRECTION OF THE BOERS—PROCLAMATION OF THE DUTCH TRIUMVIRATE—QUESTION.

Lord BRABOURNE asked the Secretary of State for the Colonies, Whether he has any official knowledge of a Proclamation recently published by the Dutch Triumvirate in the Transvaal, purporting to give an historical retrospect of events connected with the annexation of the Transvaal, and previous thereto, and justifying the rising of the Boers against Her Majesty's authority; whether it is true that such Proclamation has been communicated to other European Powers; and, whether he will be able to lay an authentic copy of the same upon the Table of the House?

The Earl of KIMBERLEY, in reply, said, he had received from the Governor of the Cape, by the last mail, what purported to be an authentic copy of the document referred to in his noble Friend's Question. He had no knowledge that the Proclamation had been communicated to the other European Powers, and he had no objection to lay on the Table the copy received at the Colonial Office. He would, at the same time, lay on the Table a copy of a subsequent Proclamation which had been also received.

Lord BRABOURNE said, he proposed shortly to call attention to the Transvaal, with the view of giving an opportunity for an authoritative statement with regard to those events immediately preceding the annexation.

ALKALI, &c. WORKS REGULATION BILL [H.L.]

A Bill to consolidate the Alkali Acts, 1863 and 1874, and to make further provision for regulating Alkali and other works in which noxious or offensive gases are evolved—Was *presented* by The Lord Meldrum; read 1^a. (No. 29.)

OFFICE OF THE CLERK OF THE PARLIAMENTS AND OFFICE OF THE GENTLEMAN USHER OF THE BLACK ROD.

Select Committee appointed: The Lords following were named of the Committee:

Ld. Chancellor.
Ld. President.
Ld. Privy Seal.
D. Richmond.
D. Saint Albans.
M. Lansdowne.
M. Salisbury.
M. Bath.
M. Hertford.
Ld. Steward.
E. Devon.
E. Doncaster.
E. Tankerville.
E. Carnarvon.
E. Bradford.
E. Granville.
E. Kimberley.
E. Redesdale.
E. Lathom.
V. Hawarden.
V. Hardinge.
V. Eversley.
Ld. Chamberlain.
L. Colville of Culross.
L. Monson.
L. Colchester.
L. Aveland.

STANDING ORDERS COMMITTEE.

Appointed: The Lords following, with the Chairman of Committees, were named of the Committee:

D. Somerset.
M. Winchester.
M. Lansdowne.
M. Bath.
M. Hertford.
Ld. Steward.
E. Devon.
E. Airlie.
E. Carnarvon.
E. Cadogan.
E. Belmore.
E. Chichester.
E. Powis.
E. Verulam.
E. Morley.
E. Stradbroke.
E. Amherst.
E. Lathom.
V. Hawarden.
V. Hutchinson.
V. Hardinge.
V. Eversley.
V. Halifax.
L. Saye and Sele.
L. Balfour of Burleigh.
L. Colville of Culross.
L. Boyle.
L. Monson.
L. Digby.
L. Carrington.
L. Colchester.
L. Silchester.
L. De Tabley.
L. Sudeley.
L. Belper.
L. Ebury.
L. Egerton.
L. Hartismere.
L. Penrhyn.
L. Wolverton.

PRIVATE BILLS.

All Petitions relating to Standing Orders which shall be presented during the present Session referred to the Standing Orders Committee unless otherwise ordered.

COMMITTEE OF SELECTION.

The Lords following; viz.,

M. Lansdowne.
E. Lathom.
L. Colville of Culross.
L. Boyle.

were appointed, with the Chairman of Committees, a Committee to select and propose to the House the names of the five Lords to form a Select Committee for the consideration of each opposed Private Bill.

House adjourned at Six o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Monday, 7th February, 1881.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Protection of Person and Property (Ireland) [79]—*Second Night, debate further adjourned. Committee—Report*—Consolidated Fund *.

QUESTIONS.

INLAND REVENUE—THE BEER DUTY.

SIR BALDWYN LEIGHTON asked Mr. Chancellor of the Exchequer, Whether, in making the financial arrangements for the coming year as to the Beer Duty, he will consider the propriety of extending the limit of the £10 house value to £20, seeing that it has been found that, under the present arrangement, the farmer class (who are compelled more than other employers to pay wages in beer) are now charged more than formerly, and as there is a difficulty in assessing a house at a £10 value which would not occur if the assessment followed the House Duty? The hon. Member offered to postpone his Question.

MR. GLADSTONE: I am much obliged to the hon. Gentleman for his courtesy; but the Question is one which cannot properly be answered in such a reply as I can now give. It is rather a matter for discussion. I am afraid that the only answer I can give at present is that I have no intention of extending the limit of the £10 exemption to £20; and that I think it would be a mistake to adopt any change in the law with the view of granting to one class of the community marked out by a particular vocation privileges and exemptions from the duty not enjoyed by other classes.

LAW AND JUSTICE (IRELAND)—MONAGHAN BRIDEWELL.

MR. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, If an investigation was held by the Prisons Board in Ireland on the conduct of the chief warder of Monaghan Bridewell, for misconduct in the Monaghan Court-house on the 7th December, during the hearing of the criminal business and while he had prisoners in charge; and, if it could not be so arranged by the Prisons Board that one Catholic warder who could read or recite prayers on Sunday for remanded Catholic prisoners, who cannot get to church and who have no benefit of chaplain, could be appointed to Bridewells such as Monaghan?

MR. W. E. FORSTER: I have communicated with the Chairman of the Prisons Board on the subject to which the hon. Member's Question refers, and have received a letter from him, in which he states that in consequence of a letter in a fictitious name received by him the Board instituted an inquiry resulting in the complete vindication of the character of the chief warder. With regard to the second part of the hon. Gentleman's Question, I do not think it would be desirable to impose on warders the duty of saying prayers in prisons, or of handing over to any disciplinary officers the conduct of religious services. The object was, however, provided for under the new Rules.

TURKEY—JEWISH COLONIZATION OF PALESTINE.

MR. ERRINGTON asked the Under Secretary of State for Foreign Affairs, Whether he can give the House any information as to a project said to have received the support of several Foreign Governments for developing the rich districts of Palestine by establishing there a Jewish Colony east of the Jordan; and, whether this project has received the sanction of the Sultan?

SIR CHARLES W. DILKE: Mr. Lawrence Oliphant communicated his scheme of colonization in 1879 to the Marquess of Salisbury, who gave him a letter of introduction to Her Majesty's Ambassador at Constantinople, and to the British Consular officers in Syria, requesting them to endeavour to obtain for Mr. Oliphant every facility for pursuing the inquiries on which he was engaged, but stating that his objects were of a private character, and had not been officially adopted by Her Majesty's Government. We believe that the project in question has not been sanctioned by the Turkish Government.

POST OFFICE — POSTMASTERS' ALLOWANCES.

MR. BIGGAR asked the Postmaster General, Whether postmasters of those offices to which grants are annually made for the providing of assistance in their offices, and which sums so granted are tabulated in the Estimates under the heading of "Allowance for Assistance" to the respective offices to which such grants are made, are required to furnish receipts for disbursements made under such heading as a guarantee that they devote the grant in its entirety to the purposes for which it is provided; whether they merely claim the sum in their monthly "voted account" which is forwarded to their respective account branch, and furnish no receipts for amounts (if any) paid out of grant; whether any check exists upon postmasters that they duly provide and keep up the assistant staff of their offices to its requisite strength; whether it is true that the allowances provided to certain provincial post offices for the purposes of "assistance" is not so disposed of; whether any cases have come to his knowledge of postmasters appointing their wife and sisters to the position of assistantships in their offices, the duties of which in some instances they do not share in, in others only to a very limited extent; whether also it is a common practice in some provincial offices in Ireland where allowances for two or more assistants are provided, that the postmasters suppress such assistantships, providing only one assistant, who is invariably their wife or sister, or female relative, who may be engaged with household affairs; whether he is aware that in such cases the work devolves on the postal and telegraph clerks, in conjunction with letter carriers and telegraph messengers; whether it is regular to employ those in the discharge of the internal work of the office; whether the salaries of suppressed assistants is ever appropriated by the postmaster; and, what steps he is prepared to take to correct such abuses where found to exist?

MR. FAWCETT, in reply, said, the hon. Gentleman, in the form of a single Question, had addressed to him 11 Questions, which he would answer as briefly as possible. It had been found advantageous to allow postmasters a limited sum to provide assistance in their offices. A receipt was required for the money thus given. Surveyors were instructed to see whether the work done by the assistants was properly done. If the work was properly done no restriction was placed upon the employment by the postmasters of their wives, sisters, and daughters. From Ireland particularly, he had repeatedly received reports that the post offices where postmasters employed those female members of their households were stated to be most efficiently managed. Of course, it would be irregular for a postmaster to throw upon the established clerks work that should be done by the assistant, but no such instance had come under his notice; and if the hon. Member knew any cases in which it occurred, and directed his (Mr. Fawcett's) attention to it, he would institute an inquiry into the matter.

NAVY—EMPLOYES IN GOVERNMENT DOCKYARDS.

CAPTAIN PRICE asked the Secretary to the Admiralty, What facilities are afforded to the employés of various classes in the Government dockyards for laying before the Admiralty statements of any grievances under which they may appear to labour; and, whether he will consider the advisability of receiving deputations from such classes on the occasion of the annual visit of inspection to the dockyards?

MR. TREVELYAN: Every person employed in the Dockyards is allowed to make any representation he pleases by letter to the Admiralty, forwarded through the Superintendent of the Dockyard, in the months of October and November of each year. The Superintendent gives great facilities for the purpose; and it is quite evident, from the great mass of applications made, that the time at the disposal of the Admiralty would not admit of their personally receiving deputations during their annual visit of inspection.

TREATY OF BERLIN—ARTICLE 23—UPPER MACEDONIA.

SIR GEORGE CAMPBELL asked the Under Secretary of State for Foreign Affairs, If he can be so good as to explain why, in the total absence of any fulfilment of the 23rd Article of the

Treaty of Berlin, Her Majesty's Consul was withdrawn from Prisrend, and Her Majesty's Government left in entire ignorance of the proceedings of the Turkish officials in Upper Macedonia; and, whether, looking to the frightfully disturbed state of that country and the destruction of life, liberty, and property known to be going on, Her Majesty's Government propose to take any measures to obtain information and to check the extermination of the native population pending the promised autonomy?

Sir CHARLES W. DILKE: Mr. St. John was withdrawn in June last, because the state of lawlessness in Prisrend and the surrounding country was such that the lives of the Consular Body were believed to be in danger; and his presence there was not of sufficient importance to British interests to justify the risk to the Consul himself, and to those persons who supplied him with information. Since Mr. St. John's departure a dragoman of the Austrian Consulate has been murdered, and the life of the Russian Consul has been several times attempted. It is understood that all the Consuls have now been withdrawn. Under these circumstances, we can only obtain information from private and unofficial sources. The Turkish Government are reported to be taking steps to re-establish their authority in North-East Macedonia; and until they have succeeded in doing so it would be useless for Her Majesty's Government to make representations on behalf of the Native population.

SUGAR—FOREIGN BOUNTIES—FRENCH MERCANTILE MARINE BILL.

Mr. RITCHIE asked the Under Secretary of State for Foreign Affairs, Whether any, and, if so, what replies have been received from the Foreign Governments to whom invitations to a Conference on the subject of the Foreign export bounties on sugar have been addressed by Her Majesty's Government; also, whether the French Bill for giving bounties on the construction and running of ships has passed the French Senate; whether he can inform the House as to the nature of the amendments introduced into it by the Senate; and, what reply the French Government has made to the representations of Her Majesty's Government on the subject?

Sir CHARLES W. DILKE: The Austrian and Belgian Governments have already expressed their willingness to take part in a Conference; but the German Government have declined. No reply has yet been received from the French or Netherlands Governments. As I stated to the noble Lord the Member for Liverpool (Viscount Sandon), the Bill to which the hon. Member refers has already passed the French Senate. The Papers which I laid on the Table on the 4th instant contain all the information on the subject which Her Majesty's Government possess. No communication with regard to this matter has been received from the French Government since the date of Lord Granville's despatch to Mr. Adams of the 30th of July last, which has already been laid before Parliament.

In reply to a further Question by Mr. Ritchie,

Sir CHARLES W. DILKE said, that oral but no written communications had been made by the French Government on the subject since the month of July.

POST OFFICE SAVINGS BANK AND MONEY ORDER OFFICE.

Mr. R. DAVIES asked the Postmaster General, Whether he will inform the House what are the conditions on which a Post Office Savings Bank and Money Order Office are opened at any Post Office?

Mr. FAWCETT: I am glad to have an opportunity of giving the information which my hon. Friend asks for, as inquiries on the subject are being constantly addressed to the Post Office from different parts of the country. It is now the invariable rule to establish a savings bank at any post office at which money orders are issued. The Department is continually extending the number of money order and savings bank offices, as they are opened at every post office where the surveyors report that the business is likely to be remunerative. In addition to the increase of the number of money order and savings bank offices which is thus taking place through the voluntary action of the Department, applications are constantly received from various places for the opening of these offices. Inquiry is at once made as to whether it is likely that the savings bank and money order business at these places will be remunerative; and if the surveyors report that it is, the application is granted. If the surveyors report that the business is not likely to prove remunerative, a savings bank and money order office will at once be established if the inhabitants will guarantee the estimated deficiency. The guarantee required is for a period of five years, and is paid in a lump sum in advance. The entire amount required cannot exceed £16, and may be as little as £2. If it is found, after the savings bank and money order office has been opened, that the business done is greater than was estimated, the whole or a portion of the guarantee will be returned.

EGYPT—THE SLAVE TRADE.

MR. A. GREY asked the Under Secretary of State for Foreign Affairs, If the Government have any knowledge that four Circassian slaves, three women and a boy, were, in the summer of last year, purchased in Cairo for the Sultan of Morocco, and conveyed from Alexandria to Tangiers in a steamer belonging to the Peninsular and Oriental Company; whether the British authorities took any steps to prevent this violation of the arrangements as to the slave trade made with the Egyptian Government; and, if no information has been received from Her Majesty's Agent and Consul General in Egypt, whether inquiry can be made?

SIR CHARLES W. DILKE: In consequence of a report which had reached him, Mr. Malet made inquiries of the Governor of Alexandria in the month of April last, who promised that steps should be taken to prevent the embarkation of any slaves for Morocco. Mr. Malet has been assured by the Governor of Alexandria that no slaves were sent. But Her Majesty's Government will make further inquiries, and will be glad to receive any information which my hon. Friend may possess.

JURY LISTS—EXEMPTION OF VOLUNTEER OFFICERS.

MR. MACLIVER asked Mr. Attorney General, If certain of Her Majesty's Judges having decided in favour of the exemption of volunteer officers from serving as jurymen, he will give a definition of the Law on the subject, in order that sheriffs may have a distinct rule to guide them?

THE ATTORNEY GENERAL (Sir HENRY JAMES), in reply, said, that the liability to serve on juries was controlled by the Act of 1870. In the Schedule of that Act officers of the Navy, Army, Militia, and Yeomanry were exempted from such service when on full pay. The words of the Act did not exempt Volunteer officers, and he did not know of any reason why they should be exempted. He presumed that the cases in which Judges had decided in favour of the exemption of Volunteers were cases of officers in camp, or otherwise on service. It would be the duty of the officials of the Courts to summon officers placed in that position to appear; and on their appearance, no doubt, the learned Judges would listen favourably to any reasonable appeal for exemption.

AFGHANISTAN—RETENTION OF CANDAHAR — MEMORANDUM OF LORD NAPIER OF MAGDALA.

MR. ASHMEAD-BARTLETT asked the Secretary of State for India, Whether his attention has been called to the Memorandum upon the occupation of Kandahar by Lord Napier of Magdala, and especially to the following extracts:—

> "For the security of British India, and the welfare of the district of Kandahar, the permanent annexation to India of the fortress and its surrounding territory appears to me the best course we could adopt. . . . . . The Russians have an easy road to Herat, and a fortress there before them, in a fertile country, held by a people without unity and without leaders. . . . . . Thence they will command the road to India, with a facility for aggression which may be measured by Ayoob Khan's rapid march to Kandahar. . . . . . The abandonment of Kandahar will be misunderstood and attributed in the East to the prowess of the Afghans. . . . . . The Railway should be advanced. A safe road to Kandahar will give it a clear start, and, instead of purchasing Russian articles at Peshawur, we shall deliver British manufactures to Central Asia;"

whether his attention has been called to the following remarks of the "Times" correspondent:—

> "There can be no longer any doubt that the Government, in defiance of the almost unanimous consensus of opinion, both military and political, intend to withdraw all the British troops from Kandahar;"

whether, in view of the statements contained in the Memorandum of Lord Napier, and the similar opinion of other experts, Her Majesty's Government will defer, for twelve months at least, their abandonment of Kandahar; whether his attention has been called to the statement of a correspondent of the "Republique Française," now on the spot, that the Russian Railway from the Caspian towards Herat has been completed for a distance of 150 miles; whether the proclaimed abandonment of Kandahar is in consequence of any arrangement with the Russian Government; and, whether he can give any information as to the further advance of Generals Skobeleff and Kauffmann, and as to the statements in the Russian newspapers that the former General intends to consolidate his conquests, and to settle the Russian authority in the Country of the Turcomans?

THE MARQUESS OF HARTINGTON: The hon. Member's Question is somewhat long; but I will endeavour to answer it as shortly as I can. My attention has been called to Lord Napier of Magdala's Memorandum on the subject of Candahar, and not only to the extract to which the Question refers, but to the whole of that Memorandum. It appears to me to be a very able statement of the views of those who are advocates of the retention of Candahar; and I may, perhaps, call the attention of the House and the hon. Member to one very short extract from the Memorandum which he has not quoted. I might, perhaps, reply to the hon. Member's Question by asking him another—namely, whether he is prepared to advocate the policy of Lord Napier of Magdala as shown in the following words:—"At least one-half of the expense of the occupation of Candahar ought to fall on England?" That is an important paragraph, which the hon. Member has not quoted in his Question. My attention has also been called to the remarks of *The Times* Correspondent quoted by the hon. Member; and I have to say that I believe there is a very considerable, though by no means universal, agreement—which I think is quite as good a word as "consensus"—among military men in favour of the retention of Candahar. Among political officers, however, there is a much greater difference of opinion. The hon. Member asks me whether, in deference to Lord Napier of Magdala's opinion, and the general consensus of the military and political authorities, I will undertake to defer for 12 months the abandonment of Candahar? Well, it is impossible to decide at present the exact time at which the retirement will take place. That will depend on circumstances. I am not able to give the hon. Member any pledge such as he desires. I hope it will not be necessary to delay the retirement for so long a period as 12 months. I have no additional information to give with reference to the progress of the Russian Railway from the Caspian towards Herat than that which I gave the hon. Member a few days ago. The official information which we have on this subject is derived from the Foreign Office; and the latest authentic information we have traces matters down to last October, when it was stated, as I said before, that the Railway had been completed for a distance of 20 miles from Michaeloff Bay. I have reason to think that the assertion in *The République Française*, that the line has been completed for a distance of 150 miles, is a gross exaggeration. There is no doubt, however, that sooner or later it is intended to complete the Railway for a distance of 185 miles from Michaeloff Bay to Bami. In reply to the last part of the Question of the hon. Member, I have to state that the communication that the Russian Cavalry have advanced 10 miles beyond Askabad has been confirmed. I am not aware that the whole of the Akkal Tekké country has submitted to the Russians; but it is not improbable, after what has happened at Geok Tepe, that they will practically occupy the country. I believe it has already been stated in this House by my hon. Friend the Under Secretary of State for Foreign Affairs that the Russian Government have informed Lord Granville that they have no intention of prosecuting their conquests further in the direction of Merv.

STATE OF IRELAND—THE CONSTABULARY—LAND LEAGUE COURTS.

MR. O'SULLIVAN asked Mr. Attorney General for Ireland, If it is true that a constable of police entered a private room belonging to the Land League at Dromcolliher, county Limerick, on Tuesday last, and, when remonstrated with for remaining therein uninvited, he stated he would remain there until he was forcibly ejected; and, if it is true that the parish priest was in the chair at the time, and that there were also present priests, professional men, and some of the largest farmers in the district?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): I find on inquiry that what occurred on the occasion referred to by the hon. Member was this—two constables, having reason to believe that a so-called Land League Court was to be held in a public-house, at Drumcolliher, went there to attend, and insisted on their right to remain. A difference of opinion then arose among the members as to their acquiescing in the constables' presence and proceeding with their business accordingly—some of the body even offered the constables seats—but ultimately the Land Leaguers left the public-house for the private house of one of themselves, and there, of course, the constables did not follow them.

IRELAND — COUNTY GOVERNMENT—GRAND JURY PANELS FOR 1879-80.

MR. CALLAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, in view of the measure for the establishment of County Government in Ireland founded on representative principles, referred to in Her Majesty's Speech, he will have any objection to procure and lay upon the Table of the House a Copy of the Grand Jury Panels for the Spring and Summer Assizes, 1879 and 1880; and a Return showing the amount of property for which each grand juror appears rated for the relief of the poor, and liable for the payment of county cess; and a similar Return as to the property of fifty of the largest cesspayers in the order of rating whose names do not appear on the Grand Jury Panels?

MR. W. E. FORSTER: I cannot give these Returns. In the opinion of the officials to whom I have referred it would be a most difficult Return to prepare, and would entail considerable time and labour, and I do not think it would be of much use when it was done.

PARLIAMENT—BUSINESS OF THE HOUSE—ENTRIES ON THE JOURNALS.

MR. LABOUCHERE asked the First Lord of the Treasury, Whether he will consent to the appointment of a Select Committee to review certain entries on the Journals of the House in regard to its Proceedings, and to report thereon; also to report upon the changes in the Standing Orders required permanently to ensure that the Business of the House be conducted within the limits of reason and usage?

MR. GLADSTONE: In reply to the first part of this Question, in which the hon. Gentleman inquires whether the Government will consent to the appointment of a Select Committee to review certain entries on the Journals of last week, of course I cannot be mistaken in supposing that the reference is to certain proceedings in which Mr. Speaker was specially concerned. My answer would be, on the part of the Government, that if a case has arisen for reviewing the conduct of Mr. Speaker, in our opinion that ought to be done by the Whole House, and not by a Select Committee. The second part of the Question is whether the Select Committee may report upon changes in the Standing Orders for the better regulation of our proceedings. With regard to that I have to say that I think there is less reason, at the present moment, than there has been for some years, to make an examination of the Standing Orders on this subject, in consequence of the proceedings which the House of Commons was pleased to take on Thursday night. And with regard to the general scope of the Question I ought to say, after what has formerly been stated in the House, that in my opinion, and in the opinion of my Colleagues, the whole matter has been quite sufficiently pronounced upon and settled by the decision at which the House arrived on Thursday; and that, in our opinion, it does not require, and will not admit with advantage at the present time of any further investigation.

ORDNANCE MAPS — RIVERS OF THE UNITED KINGDOM.

MR. MAGNIAC asked the President of the Local Government Board, Whether he will publish, in the form of a Parliamentary Return, the Ordnance Map showing the rivers of Great Britain and Ireland with their catchment basins, and the annual rainfall corrected to the latest date?

MR. DODSON: I cannot at present say whether I can give in the form of a Parliamentary Return the Ordnance Map referred to. The map is a large one, and to be of any use requires to be coloured, which will involve considerable expense, the amount of which I have not yet ascertained. At any rate, however, I will endeavour to arrange that a copy of the map shall be placed in the Library for reference by Members. As regards the annual rainfall, there is no summarized information as to the rainfall in the different catchment basins later than that in the Sixth Report of the Rivers Commission; and the Meteorological Office will not be able to publish more recent information before the ensuing autumn.

BRITISH HONDURAS—MEMORIAL OF 8TH SEPTEMBER, 1880.

SIR HENRY HOLLAND asked the Under Secretary of State for the Colonies, Whether a Memorial of the 8th September 1880, has been received by the Colonial Office from residents in British Honduras; whether any reply has been returned to that Memorial; and, whether there is any objection to laying that Memorial and the reply, if any, upon the Table of the House?

MR. ANDERSON also had the following Question on the Paper:—To ask the Under Secretary of State for the Colonies, If a Memorial extensively signed has been received from British Honduras, making grave charges against the financial administration of that Colony, and complaining that, in spite of the wish of the Colonists for a liberal tariff—

> "The Lieutenant Governor's policy threatens to drive commerce out of the country by an almost prohibitory tariff;"

and, if it is intended to send out a qualified Commissioner to investigate and report, or what other steps will be taken in the circumstances?

Mr. GRANT DUFF: Perhaps I may reply now both to this Question and to that of my hon. Friend the Member for Glasgow (Mr. Anderson), as the two are nearly identical. First, then, the Memorial has been received; secondly, I do not find in it the words quoted by my hon. Friend the Member for Glasgow; but the financial management of the Governor is blamed for other reasons. There is no intention of sending out a Commissioner; but the Secretary of State, while aware that expenditure is needed if only the money were forthcoming, is most anxious and determined to keep down expenditure in British Honduras. The Memorial will be answered almost immediately. When we have the Governor's final answer, and the Correspondence is complete, I apprehend there will be no difficulty whatsoever in laying it on the Table, if it is wished for; but I dare say my hon. Friends will mention the matter to me again.

THE CONVICT MICHAEL DAVITT.

Mr. BRYCE asked the Secretary of State for the Home Department, If he will cause inquiries to be made whether Mr. Davitt, who has lately been arrested in Dublin, is now in a state of weak health; and, whether, if so, he will give directions that Mr. Davitt shall not be sent to any place, nor required to perform any work, which may injuriously affect his health?

CAPTAIN O'SHEA: At the same time I may ask the right hon. and learned Gentleman a Question, of which I have given him private Notice, which is, Whether he will inform the House what are the instructions of Her Majesty's Government to the prison authorities with respect to the treatment of Mr. Michael Davitt?

SIR WILLIAM HARCOURT: In reply to the Question of my hon. Friend (Mr. Bryce) I have to state that when Mr. Davitt was taken into custody I ordered that a medical Report should be made as to the condition of his health, and that Report was accordingly made last Friday. The Report states that he was suffering from bronchial catarrh, to which, it is said, he has been subject. Thereupon I issued general instructions to the effect that he should be treated with all possible indulgence, and that the greatest possible attention should be paid to the state of his health. In reply to the other portion of the hon. Member's Question, I have to answer that he certainly will not be sent to any place which would be likely to be injurious to his health. That subject has been considered with reference to the place to which he has been sent. I have also to state that he will not be required to do any work that would be injurious to his health; and in his case there are circumstances which render him a peculiarly unfit subject for prison work. I have also directed that particular attention should be given to his having proper diet, proper rooms, and proper bedding. He will be kept apart from the other convicts, a matter which is possible by the rules under which persons placed on probation in confinement are treated. These are the general instructions given at present, and further instructions will be given when a Report has been received from the Governor of the prison in which he is detained.

MR. MACDONALD: Is the right hon. and learned Gentleman able to state whether Davitt is in the hospital, as stated in this morning's papers?

SIR WILLIAM HARCOURT: I have no reason to believe that that is so. No such information has reached me.

MR. FINIGAN: Will he be clothed like an ordinary convict or not?

SIR WILLIAM HARCOURT: I wish, Sir, to give all posible information on this subject. The directions given at once when he was taken into custody were that the ordinary prison treatment of cutting the hair should not be applied in his case. But with regard to the prison dress, I have received information that it is considered necessary as a security against escape; and, therefore, I do not feel justified in dispensing with it. I may add that when he travelled on the railway it was in his own clothes and not the prison dress.

OUT-DOOR RELIEF.

MR. METGE asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is the case that while in England out-door relief may be granted to the family of any person confined in a gaol, in Ireland there is no such power; whether such want of power to grant out-door relief does not arise from the provisions of the Act of 1847; and, whether, if this is the case, he will take any steps to amend the provisions of that Act?

MR. W. E. FORSTER, in reply, said, that in Ireland the family of a person confined in gaol would be received into the workhouse if they were destitute, and if in ill-health out-door relief could be supplied to them in the ordinary way.

CONTAGIOUS DISEASES (ANIMALS) ACTS — FOOT-AND-MOUTH DISEASE (SCOTLAND).

MR. MARJORIBANKS asked the Vice President of the Council, Whether, in view of the rapid spread of foot and mouth disease, he will consider the advisability of the total prohibition of the entry of all live stock into Scotland from England until the 1st May proximo; and, if not, whether he will advise further precautions than now are taken to guard against the extension of the disease to Scotland?

MR. MUNDELLA: A similar Question was asked on this subject a fortnight ago. Since then, finding the disease was extending northwards and had reached Durham, an Order has been passed which came into force on the 28th of January, by which any local authority in Scotland can prohibit the entry into their district of animals from any part of Great Britain. We received on Saturday last an official communication from the Town Clerk of Glasgow to the effect that the local authorities for that city have prohibited the entry of any animal from England or Wales between February 3 and April 1.

STATE OF IRELAND—NEW ROSS.

MR. REDMOND asked the Secretary of State for War, Whether it is a fact that a detachment of Hussars were recently quartered in New Ross in consequence of a memorial signed by a certain number of residents; whether there is anything in the condition of the district to warrant such a course; and, whether he has any objection to lay upon the Table a copy of said memorial?

MR. W. E. FORSTER: What has been done in this instance has been done with the concurrence and at the request of the local magistrates, and not only of the local magistrates, but of the resident magistrate. A Memorial was presented, very strongly signed, making representations of which the authorities had to take cognizance. I do not think it desirable to lay the Memorial on the Table of the House. The recent murder of Mr. Boyd serves to show that New Ross is not in a very quiet state.

MR. REDMOND: I beg to inform the right hon. Gentleman that it was not in New Ross that Mr. Boyd was murdered; it was in the County Kilkenny.

Mr. W. E. FORSTER: Well, it was within two miles of it.

GREENWICH HOSPITAL FUND.

Mr. GOURLEY asked the Civil Lord of the Admiralty, If he can inform the House the total amount of money contributed by the seamen of the Mercantile Marine to the Greenwich Hospital Fund, and also the amount returned in the shape of grants and pensions; if not, if he will cause a Return to be made of all sums levied and paid compulsorily to the Fund, and also showing how the same has been appropriated?

Mr. T. BRASSEY: It would be impracticable to give a complete account of the sums contributed to Greenwich Hospital from 1696 to 1834. The total amount was under £2,000,000. The assessment was made on the broad ground of the protection afforded to shipping. Merchant seamen, as such, derived no direct benefits from Greenwich Hospital; but they joined the Navy in large numbers. Although no claim is recognized, annuities of £3 8*s.* are now granted, under certain conditions, to all seamen who contributed 6*d.* a-month for five years previous to 1835. They receive an ample equivalent for former contributions. The total cost of these annuities is estimated at £200,000. Papers giving full information on the subject will shortly be presented.

MERCANTILE MARINE—CARRIAGE OF GRAIN ACT, 1880—GRAIN CARGOES FROM THE UNITED STATES.

Mr. GOURLEY asked the President of the Board of Trade, If it is intended on the part of the Board to issue, in accordance with Clause 5 of "The Carriage of Grain Act, 1880," regulations authorising British Shipowners to load grain and general cargoes under rules and bye-laws now current with the several underwriting offices of the United States of North America and the Port Wardens of Montreal and Quebec; what Ports in the United States are to be considered as being included in the phrase "on the coast of North America;" and, if he will be good enough to state what clause in the Carriage of Grain Cargoes Act compels the loading of single decked ships loading in the Black Sea with not less than one-fourth of their cargoes in bags?

Mr. CHAMBERLAIN, in reply, said, the Board of Trade had issued, in accordance with the Carriage of Grain Act, 1880, an official notice, which he should be glad to lay on the Table of the House. Every port in the United States and British North America at which British ships should load grain should be considered for the purposes of the Act as a port on the coast of North America; and they had already been in communication with the Consuls at Baltimore, Boston, New York, New Orleans, San Francisco, and Philadelphia. In regard to the last Question, the 4th clause of the Carriage of Grain Act compelled the loading of single-deck ships in the Black Sea with not less than one-fourth of their cargoes in bags.

COAL MINES—COLLIERY RIOTS AT HINDLEY.

Mr. DALY asked the Secretary of State for the Home Department, Whether it is true that a meeting of colliers, computed at 20,000, was held at Amberwood Common, near Hindley, on Wednesday 27th ultimo, at which some constables in plain clothes on being recognized were grievously maltreated, since numerous acts of violence were committed; and, whether, in vindication of Law and order, and for the protection of life and property, he will deem it his duty to advise Her Majesty's Government to pass some measure of coercion or repression for this disturbed portion of Her Majesty's dominions?

Sir WILLIAM HARCOURT: I promised the other day to explain the facts; but I did not expect the hon. Member would call on me to offer any opinion on the subject. The facts, as stated to me by the Chief Constable of Lancashire, are that a meeting of colliers on strike, estimated as numbering about 20,000 persons, was held near Hindley on the 27th ultimo, that stones were thrown, and that the police and inspector of police, and several constables who had been sent to watch the proceedings, were struck, but were not seriously hurt, and that they all resumed their duties the next day. Towards the end of the meeting there was some little damage, it appears, done; but no information has reached me which leads me to believe that the ordinary law will not be sufficient to meet this state of things.

Mr. DALY said, a baker's cart had been stopped and robbed, colliery buildings had been broken into, and the tubs thrown down the pits. He should make it his business, under these circumstances, to furnish the right hon. and learned Gentleman with the details of these matters.

STATE OF IRELAND—LAND MEETING AT BUTTEVANT.

Mr. DALY asked Mr. Solicitor General for Ireland, Whether it is true that on Thursday, January 27th, several respectable shopkeepers of Buttevant, county of Cork, were prosecuted by the police for having their licensed houses decorated on the 1st day of January instant, on the occasion of the land meeting held there on that day; whether the offence alleged consisted of the display of flags and banners; whether on previous occasions, such as the marriage of the daughter of Lord Doneraile, and the county elections, the same persons had not exhibited flags and banners for which no prosecution was instituted by the police; and, whether the case was tried by the resident magistrate and a landlord magistrate, who decided to make "no rule" upon the summonses?

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson): Licensed publicans are prohibited by statute under penalty from displaying from their licensed premises any flag or other decoration except the usual sign of the house. On the occasion in question several publicans in Buttevant displayed flags and other decorations, and were cautioned by the police that they were violating the law. Some of them accordingly removed their decorations; but five refused to do so, and were summoned to Petty Sessions. For the defence it was contended that it was a common thing for publicans to do without objection; and the occasion of the marriage of the Hon. Mrs. Fitzpatrick, Lord Doneraile's daughter, six years ago, was relied on as an instance. The Bench, consisting of two magistrates, one of whom was the resident magistrate, pronounced their decision to be "no rule." There was no other prosecution than that of these five publicans.

THE IRISH LAND BILL.

The O'DONOGHUE: I wish to ask the right hon. Gentleman the Prime Minister a Question, of which I have not given him private Notice, but which he will, doubtless, be able to answer. It is this—Whether he intends before Easter to introduce his Irish Land Bill?

Mr. GLADSTONE: Most certainly; and, I hope, at a comparatively very early day.

Mr. CALLAN asked the Chief Secretary to the Lord Lieutenant of Ireland, When the Report of the Land Commission and the Evidence taken before the Bessborough Commission would be in the hands of Members?

Mr. W. E. FORSTER: As I am not Chairman of the Commission, I am unable to answer the Question.

Mr. CALLAN: Perhaps the right hon. Gentleman will state which Department of the Govenment is responsible?

Mr. W. E. FORSTER: I must ask the hon. Member to put his Question on the Paper.

SOUTH AFRICA—COST OF THE TRANSKEI WAR.

Sir GEORGE CAMPBELL asked the Under Secretary of State for the Colonies, Whether the Cape Government have done anything whatever towards repaying Her Majesty's Government the debt due for commissariat and other expenses of the Colonial troops in the former Transkei war; whether it is true, as stated in the "Times," that the present Basuto and Transkei war has been carried on with money borrowed from the local banks without the sanction of the Colonial Parliament; and, if so, whether Her Majesty's Representative has been a party to this transaction?

Mr. GRANT DUFF: The accounts of the Transkei War have been forwarded to this country, and are now being examined by Representatives of the Cape Government and of the Home Government with a view to arrive at an understanding as to how much is due from Cape funds. We have no knowledge of, and no power over, the arrangements made by the Cape Government for raising funds. The Cape Ministers are responsible to the Cape Parliament; and it is no part of the duty of Her Majesty's Representative to interfere with such arrangements as those about which my hon. Friend asks.

AFRICA (WEST COAST)—WAR WITH ASHANTEE.

SIR STAFFORD NORTHCOTE: I wish to put a Question to the Government as to whether they have any information with regard to the report of probable hostilities in Ashantee?

MR. GRANT DUFF: The best answer I can make to the right hon. Gentleman will be, I think, to read a telegram from Lieutenant Governor Griffith to the Earl of Kimberley, dated Gold Coast, January 24, 1881, and received at the Colonial Office on Saturday.

[*For telegram* see p. 234.]

I may add that there are already about 1,250 men at the disposal of the Lieutenant Governor, all well suited for the kind of work they are likely to have to do. Some 400 more will immediately go to the Gold Coast from the West Indies; and the Lieutenant Governor seems to have lost no time in communicating the state of affairs to the naval officers on the West African Station.

TREATY OF BERLIN—THE MONTENEGRIN FRONTIER.

In reply to Lord EDMOND FITZMAURICE,

SIR CHARLES W. DILKE said: The Frontier Commission have signed the Act defining the boundary between Turkey and Montenegro from Lake Scutari to the point where it joins the River Bozana, and have voted that from that point the line shall follow the Thalweg to the sea, with a declaration that Turkey as well as Montenegro shall enjoy full and complete right of navigation of the river.

TUNIS—THE ENFIDA CASE.

In reply to Mr. BRYCE,

SIR CHARLES W. DILKE said: It is true, as I informed my hon. Friend the Member for Wareham (Mr. Montague Guest), that a question has arisen between an English subject and a French Company with regard to the title to an estate in Tunis; but the English and French Governments have agreed that the question should be dealt with by the local tribunals, under whose jurisdiction the matter properly comes; and we have every reason to hope that no complications will arise between the two Governments.

INDIA—MEDICAL DEPARTMENT.

GENERAL SIR GEORGE BALFOUR asked the Secretary of State for India, If he will lay upon the Table of the House a selection from the official documents which will give a clear idea of the recent great changes in the Medical Department of India; and, if he will produce the Papers relating to the important modifications in the system of the Indian Engineering College?

MR. PUGH said, before that Question was answered he wished to ask a Question, of which he had given private Notice—namely, What it was proposed to give to the officers who were affected by the Orders complained of; and what steps it was proposed to take?

THE MARQUESS OF HARTINGTON said, in reply to the first Question of his hon. and gallant Friend, he had to state he hoped shortly to be able to lay on the Table the Papers with respect to the present changes, and he hoped to include all the despatches on the subject referred to by the hon. Member for Cardiganshire. In reply to the second Question of his hon. and gallant Friend, he said the Papers relating to the Indian Engineering College were very voluminous; but he should be happy to afford hon. Members such information on the subject as could not be found in the prospectus of the College.

TURKEY AND GREECE—ACTION OF THE EUROPEAN POWERS.

MR. ASHMEAD-BARTLETT asked the Under Secretary of State for Foreign Affairs, Whether his attention had been called to a speech of the French Minister for Foreign Affairs in the Senate on Friday last, in which these statements occurred—

> "The best thing for Greece to do is to follow our counsel. Turkey herself, although the rights of war have not been pronounced, already consents to concessions. Without a war, without a drachma of expense, Greece can acquire a territory immense compared to its present territory. If Greece began a war she would cause a con-

flagration of which we could not measure the extent. I, therefore, conjure Greece to listen to our counsels."

He also wished to know whether the hon. Gentleman would distinctly undertake that Her Majesty's Government, either alone or in conjunction with "the concert of Europe," would advise Greece to moderate her excessive demands, to accept the large and substantial concessions offered by the Porte, and to demobilize her Army? Whether it was true that the proposed Conference at Constantinople was prevented owing to the unwillingness of Her Majesty's Government to re-consider the advice given by the Conference at Berlin, and owing to their desire to treat that Conference as a Court of Arbitration, and not merely as a body that, in M. St. Hilaire's language, merely "recommended a delimitation to the parties, and nothing more?"

SIR CHARLES W. DILKE: With regard to the first of the Questions of the hon. Member, I have to say that at a moment when delicate negotiations are pending I should be wanting in regard to my duty were I to engage in the discussion to which he invites me. With regard to his second Question, no proposal for a Conference at Constantinople has been entertained by any of the Great Powers. The proposal of the Turkish Government to the effect that the Greek Frontier Question should be negotiated at Constantinople between the Representatives of the Powers is still under the consideration of the Powers.

ORDER OF THE DAY.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL.—[BILL 79.]

(*Mr. William Edward Forster, Mr. Gladstone, Secretary Sir William Harcourt.*)

SECOND READING.

ADJOURNED DEBATE. [SECOND NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [4th February], "That the Bill be now read a second time."

And which Amendment was, to leave out the word "now" and at the end of the Question to add the words "upon this day six months."—(*Mr. Bradlaugh.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

SIR ROWLAND BLENNERHASSETT said, he thought no Government would have made up its mind to come down to the House of Commons with a coercive proposal of this character without feelings of humiliation; because it was a practical confession that during the last 80 years very little progress had been made towards the pacification of Ireland. It was, he thought, a large demand upon their credulity to believe that the Prime Minister had allowed himself to be deluded, after his long experience, by the representations of officious policemen and other Government officials. To an ordinary mind, therefore, the mere fact of the Government introducing a measure of this kind would be a considerable argument in its favour. Still, the measure was in itself of so extraordinary a character that it could only be justified upon the plea that there was an organization in Ireland which had supplanted the ordinary law. Now, was that so? It had been asserted and admitted that in various parts of the country the law of the Land League reigned supreme. That meant that in certain parts of the country the ordinary law was inoperative. They knew very well that they could not have two contradictory systems of law; and it seemed to him to follow that in those parts anyone who regulated his conduct by the ordinary law of the land was liable to punishment by the advocates of the other system. It had been admitted, even by hon. Members who oppose this Bill, that the Queen's writ did not run in certain parts of the country, and that substantially corroborated the statement of Judge Fitzgerald. At the same time, it was idle to suppose that it was the action of the Land League which had brought the country into its present condition. To say that would be to confound cause with effect. He would grant, for the sake of argument, anything that the greatest enemy of the Land League could say against it; but the question would always remain how it came that the Land League had the power which it possesses? He thought it could not be denied that the reason why the Land League wielded so much power was because a large portion of the population sympathized with it. The fact that a large portion of the population sympathized with the League was a proof that the national economy of Ireland rested on an unsound basis. Looking at the main features of the social system in Ireland they saw that the bulk of the population was dependent for its living on the cultivation of the soil. From this cause alone originated those periodical disturbances which successive Governments had to deal with. He contended, however, that the law which regulated the relations between the Irish landlord and tenant was, in many respects, more favourable than in other countries. Compensation for improvements was unknown elsewhere. He was far from denying that the position of the Irish tenant should not be still further improved; but he was convinced that any remedial measure which was not based on the condition of attaching the occupier to the soil would never remove the present evils. Ireland, too, was essentially a bureaucratic country, for the Irish gentry had lost almost all the political power which they formerly possessed, that power having now passed into the hands of the officials of the Government; and if they were ever to have Conservative force derived from the influence of property in Ireland, it must be by the establishment of a peasant proprietary. It had been said that the aim of the Land League would bring this about. In so far as that was the aim of the League and the end toward which it was working, he cordially sympathized with it; but he did not think it right to attain the end by the means adopted. He knew that as he did not intend to vote with the hon. Member for Northampton (Mr. Bradlaugh) his conduct would be open to misconstruction; but his vote would, he believed, be given in the best interests of the country. Hon. Gentlemen opposite would remember that a similar course had been taken by many men who had done good service to Ireland. Mr. Grattan, for instance, had chosen to support a Coercion Bill at a time when he had every excuse for increasing his popularity at the expense of his convictions of duty; and he (Sir Rowland Blennerhassett) could only repeat the words of that great statesman, and express a hope that by supporting the Government he should not lose the respect of his countrymen.

Sir Rowland Blennerhassett

MR. SYNAN fully understood the purity of the motives that led his hon. Friend (Sir Rowland Blennerhassett) to support the Bill; but he believed, at the same time, that he had misapprehended the case of the Government. It was possible the people of Ireland and his constituents might forgive him on account of his misapprehension. He was not surprised, after what had passed in the House, that hon. Members should show signs of exhaustion, and show that they did not feel any interest in the question before them, as the conclusion to be arrived at was already foregone. The opponents of the Bill were clearly fighting against superior force in contending with the whole strength of the Government; and yet the measure had not been adequately introduced, was not supported by argument, and was not based on any overwhelming mass of evidence. In the case of the two other Coercion Bills that he recollected, arguments had been used in their favour, and facts had been adduced; but, on the present occasion, the Government had not been able to produce any strong evidence, but had rested their case merely on a confused Police Return of agrarian outrages. A fortnight ago he challenged the Chief Secretary and the Solicitor General for Ireland to produce any authority or precedent for a Bill of this kind. They had declined the challenge; and, seeing the Attorney General for Ireland in his place, he repeated the question to him with the gravest doubt as to whether he should receive an answer. Allusion had been made in the course of the debate to the Westmeath Act of 1871; but that formed no precedent for the present proceeding, and upon every Constitutional ground they were bound to resist the passage of the Bill. The Westmeath Act was, after an inquiry before a Select Committee, confined to Ribbonmen and Fenians, some of whom came from England and abroad. The outrages did not proceed from any land grievance; and the noble Marquess the Secretary of State for India (the Marquess of Hartington) "admitted that the Act was new and unconstitutional," and that "it was a dangerous power in the hands of a Government whether democratic or despotic." The truth was that the Chief Secretary's case was so weak that in moving the second reading he had found it necessary to parade before the House a treasonable proclamation that had no necessary or known connection with Ireland, and the source of which was as yet undiscovered. Then they also had before them the Police Returns for several months. It was unfortunate that it was impossible, without a laborious analysis to classify those Returns, to separate the serious from the trivial cases, or to detect the instances of the duplicate entry of the same outrage. The Returns, he understood, were such as were always periodically presented by the Constabulary; but that was no reason why they should not be classified, nor should the Prime Minister have set off against the duplicate entries the cases in which one outrage might more properly have been recorded as several. The other day 20,000 miners in Lancashire were concerned in disturbances, and were, according to the theory adopted with regard to Ireland, guilty of 20,000 offences, so that the outrages in Lancashire must exceed those in Ireland. As a matter of fact, this system of dealing with the Returns was an absurdity. The number of crimes mentioned in the Returns was 2,590; but after deducting threatening letters, trivial cases, and duplicate Returns, he found that only 723 outrages of anything like a mischievous kind had been committed. He admitted that cases of forcible admission into agricultural holdings had multiplied; but that was a necessary consequence of the land agitation. In 1845 there were 18 homicides in Ireland, last year there were only 8. As to incendiary fires and malicious injuries, he stated that, as a Grand Juror, he had tried more crime of that sort in his own county in an ordinary year than these Returns showed. The remedy for the existing condition of things was to be found, not in a suspension of the Constitution, but in remedial measures. He had the authority of the noble Marquess the present Secretary of State for India (the Marquess of Hartington) for that statement. The noble Marquess said, in 1871—"The only sure way to prevent agrarian outrages was to remove the causes." The Prime Minister had flung the Returns to the winds, and based his case on the fact that no evidence could be discovered against offenders, and that no verdicts could be obtained from juries. The obvious reason why evidence could not be brought forward was that the agrarian crimes were, as a rule, committed secretly and by night. Was it intended that the suspension of the Habeas Corpus should be substituted for trial by jury? If so, they would have gone a step towards Revolution, and their position would be far worse six months hence than it was at present. For that reason he, for one, could not support the second reading of the Bill. He complained that the Irish Members had asked for inquiry into the agrarian crimes; but the Government had simply thrust the Returns of these crimes down their throats. Was it fair to throw these Returns into the hands of English and Scotch Members, and to get their votes upon the second reading of this Bill by the multiplication of crimes which were no crimes at all? [An hon. MEMBER: No, no!] Yes; no crimes at all. Surely the hon. Member did not mean to say threatening letters were crimes to justify the suspension of the Habeas Corpus Act. He did not agree with the arguments of the right hon. Gentleman (Mr. John Bright) that there was no analogy between the Corn Law League and the Land League, and that it was the action of the Corn Law League which led to the abolition of the Corn Laws. In his (Mr. Synan's) opinion, it was nothing of the kind. On the contrary, the Corn Laws were abolished, not by the action of the right hon. Gentleman and his Colleagues in that agitation, but owing to the visitation of the Irish Famine in 1846. The leaders of the present agitation had been accused of having preached doctrines of a seditious character. In support of that charge the Prime Minister had cited two speeches of the hon. Member for Cork (Mr. Parnell); but it was now admitted that the hon. Member had not delivered one of the speeches referred to, and the Chief Secretary had apologized for having mentioned it. He (Mr. Synan) asked whether it was likely that 100,000 people would be preaching treasonable or criminal doctrines without the Government being able to bring evidence against them? It reminded him of Fox's answer, in 1795, to the persons who charged the Reform Clubs of that peroid with treason. "Have you found," asked Fox, "anything of the kind in their proceedings?" "No," replied the accusers, "they are too cunning for that." "What," replied he, "were the 30,000 so cunning?" So, he asked, were the 100,000 Land Leaguers so cunning? It appeared that crime had fallen off in January by one-half, and that fact had been adduced as a reason against the second reading of this Bill. The Chief Secretary for Ireland attributed that decrease of crime to two causes—the terror produced by this measure, and the cunning shown by the Land League in telling its followers to stop their criminal acts. Both of those causes might have had an influence; but was not that some argument against the second reading of the Bill? In July, 1846, Sir Robert Peel's Government, which had brought in an Arms Bill, was turned out of Office; and when the Liberals came into power they re-introduced, on the 5th of August, the Arms Bill which they had rejected. Mr. Hume and others opposed that Bill on the ground that crime had diminished; and on the 17th of August Lord John Russell withdrew the Bill because crime had diminished, and took credit to the Government for its diminution. That was a precedent more pertinent to the present discussion than the Westmeath Act which had been quoted. Why was a Liberal Government now giving the precedence to coercion over remedial legislation? They had heard the reason why from right hon. Gentlemen on the Front Opposition Bench, who said—"Make no terms with crime and intimidation; do not purchase the passing of this Bill by consenting to remedial measures in any way, because law and order must be first restored in Ireland." He maintained that law and order would be more speedily restored by a remedial measure than by this Bill. Had the Tories, who talked of never yielding to threats, forgotten their own history? Had not Catholic Emancipation been granted through fear of a civil war? Was not the Reform Bill of 1832 carried through the fear of an outbreak of violence? Again, was not the Reform Bill of 1867 preceded by the Hyde Park riots? And did not the Conservative Government of that day make its famous "leap in the dark" from the fear of a revolutionary movement in England? Concessions were made to popular agitation in England; and why was coercion to be applied only to Irish popular agitation? He freely admitted that where treason, or treasonable conspiracy, or treason-felony existed, those who were responsible for the Government had a right to defend the Constitution of the country, if necessary, by force. But, in the present case, not a particle of proof of any such danger had been produced to the House. No Constitutional Government ever yet applied such a Coercion Act to agrarian crimes. He founded himself upon the authority of Burke as to the distinction between discontent and crimes springing from abuses and treason—

> "I am," said Burke, "for separating not the north from the south—not the east from the west; but I am for separating the discontented on account of abuses from those who had a hatred of the Constitution and wished its total destruction."

They had been asked to trust the Government; but surely the liberties and even the lives of the people of Ireland were not to be put into the hands of any Government until evidence was given of the absolute necessity for doing so. As to the precedent of the Westmeath Act, he had already shown that it was no precedent. He had himself voted against the second reading of the Westmeath Act, because agrarian crime only was in question, but no treason. He supposed that Burke was a Constitutional authority. Burke said that the only ground on which the Constitution could be suspended even for a time was a movement of a treasonable character. This Bill provided that any person might be arrested who was suspected to be guilty as principal or accessory of high treason, treason-felony, or treasonable practices. If the Government had stopped there, and had produced evidence of these crimes, he would not be there to oppose them; but these words followed:—

> "Or of any crime punishable by law committed in a prescribed district, being an act of violence or intimidation, or the inciting to an act of violence or intimidation, and tending to interfere with or disturb the maintenance of law and order."

Every riot and act of a violent character committed in Ireland, whether before or after the passing of this Bill, would come within that provision. The Lord Lieutenant had, for such offences, the same power as existed in France before the Revolution of issuing *lettres de cachet*.

"What," said Fox, "has produced revolutions in other countries? Arbitrary power lodges in Ministers, and the oppressive privilege of using *lettres de cachet.*"

No such measure would be proposed with reference to any other part of the Empire. This arbitrary and despotic Bill was an insult to Ireland; and it was the duty of the Representatives of that country to resist it to the utmost which the Forms of the House would now permit. The Government and Members of the House assumed great responsibility in passing this Bill. If such a Bill were proposed for any village in England it would provoke the opposition of every man on the Liberal Benches; and, if carried into law, it would be the deathblow of the Government responsible for the measure. He would, in conclusion, appeal to the House in the words of Fox—

"If this Bill should pass into law, contrary to the sense and opinion of the great majority of the Irish nation, and if, after it was passed, it should be executed with rigour, then, in that case, resistance would be a question not of duty but of prudence."

MR. REDMOND said, he felt keenly that he laboured under a heavy and peculiar disadvantage, from the fact that it was his strange fortune, on the first occasion of taking his seat, to find himself placed in a position of direct antagonism to the feeling and authority of the House. Such a position was painful, and would have been altogether intolerable, had he not been convinced that he was only fulfilling his duty to his constituents and his country, and that it must, sooner or later, inevitably be the fate of every Irishman who entered Parliament to represent the national aspirations of his countrymen, to be placed in direct antagonism to English politicians, whether Liberal or Conservative. It was vain for him to hope that any words of his could induce the Government to withdraw this Bill. But he desired to enter an earnest protest against it. He had been sent to that House to protest against the calumnies which had been hurled against Ireland from the Ministerial Bench. Did Her Majesty's Government imagine for one moment that by coercion and terrorism they would be able to crush an agitation which had given new hope to the hearts of millions of Irishmen? If Ministers thought so, they would find their expectations destined to failure. The whole case of the Government in favour of coercion was before the House, and what did it amount to? The only evidence the Government had brought forward consisted of Returns of agrarian outrages, which the Chief Secretary for Ireland had laid on the Table. He (Mr. Redmond) stigmatized those Returns as misleading and dishonest. Let him take the case of the county with which he was best acquainted—his own county of Wexford. It was stated in those Returns that, during the year 1880, there were no less than 56 agrarian outrages in that county. If that statement was true, he was prepared to admit that it would disclose a serious state of affairs; but he would deny that it was any reason or justification for this Bill. Before he had an opportunity of examining these Returns he knew of his own personal knowledge that that statement was, if not false, at any rate dishonest. Upon examination of these Returns, he found that the 56 agrarian outrages consisted almost entirely of threatening letters. It might be said that there were serious outrages in his county. On that point all he could say was that there were not three serious outrages in that county during the year. Yet these lying statements had been sent forth to the world, blackening the character of a people whom he knew to be the most law-abiding and God-fearing in the United Kingdom. The whole story of these outrages would, in fact, be ludicrous, were it not that it was leading to the deprivation of the liberties of the Irish people. In one case of alleged outrage it was discovered that the criminal was a donkey who got himself shot by the gallant defender of his house for his presumptuous attempt to break into a pantry. The Government disclaimed having been at all influenced by newspaper reports. The Chief Secretary had stated they were not even guided solely by those Returns. Their case, then, must rest upon secret information, which could only have been obtained from two sources, both tainted. The first source was the magistracy, who represented one class merely, and that the most interested in crushing the land movement and trampling upon the liberties and lives of the Irish people. The other source was the Constabulary, and he asserted deliberately that their evidence was absolutely unreliable without corroboration. There seemed to be some fatality about every effort on the part of that House to legislate for and govern Ireland. The land agitation had been impeached, and the unwritten law of the League denounced. The agitation, however, had prevented thousands of those evictions which the Government had acknowledged to be inhuman and unjust, but which they had failed to arrest; and he thanked God that there was an unwritten law in Ireland, strong enough to cancel the "sentences of death" which Irish landlords had levelled against their tenants. In spite of this Bill the unwritten law would continue to exist; and until the grievance had been removed it would command the support, the sympathy, and the approval of every patriotic man in the land. It was asserted that the measure of Land Reform would be a wise and generous one, and, if so, he should be delighted with it; but why, then, did the Government postpone its introduction until this miserable measure had been passed into law, and the passions of the Irish people had been aroused? *Quem Deus vult perdere prius dementat.* The blind infatuation of the present Administration was the sure forerunner of its downfall. He denied the right of the English Parliament to govern Ireland. They had never yet been able to govern it except by brute force, and by the suspension of the liberties of her people. The only way in which Ireland could hope to see peace and prosperity was by having an Assembly of her own once again — a native Parliament, hallowed by the glories of the past; and when that day arrived there would be no talk of coercion or outrage, for liberty and peace would hand in hand watch over the destinies of a regenerated Ireland.

Mr. STANSFELD, after congratulating the last speaker upon his first Parliamentary effort, expressed his intention to support the second reading of the Bill, though he should do so with an amount of reluctance which it would be almost impossible for him adequately to convey. While saying that, however, and while experiencing that reluctance, he should, nevertheless, vote for the Bill without any portion or tittle of that "distrust" as to the way in which the law would be administered, which was expressed the other evening by the noble Lord opposite (Lord Randolph Churchill). He believed that the reluctance of which he had spoken was shared, more or less, by both sides of the House. He did not believe there were any who felt it more strongly—he was almost tempted to say so strongly—as the occupants of the Treasury Bench; because it was upon them, and more especially upon the Chief Secretary for Ireland, that the tremendous responsibility of administering an arbitrary power would fall. It had been said in the course of the debate that the extraordinary powers about to be conferred by this Bill would, practically, come to be exercised by a local magistrate or officer of the police; but his conviction was that his right hon. Friend the Chief Secretary would not place such an interpretation upon the grave responsibility that he was about to incur under this measure. [Mr. W. E. Forster: Hear, hear!] He found it impossible to conceive that any man in the position of his right hon. Friend, and least of all his right hon. Friend himself, would consent to be invested with an arbitrary power, from which there would be no practical appeal, to consign any man to imprisonment and detention for 18 months without a close, personal, and anxious investigation into every case. The hon. Member for Limerick County (Mr. Synan) had commenced his criticism of the Bill by referring to the 1st clause, which gave the Lord Lieutenant of Ireland power to arrest by warrant. As far as he was able to follow the reasoning of the hon. Member for Limerick, he understood that Gentleman to interpret the enacting clauses of the Bill as having been framed as if for the purpose of giving power to the Lord Lieutenant to arrest and detain in prison for 18 months any man who might reasonably be suspected of an inciting to commit a common assault. He could not think that the hon. Member had it in his mind to suppose that any Government would propose to take, or dare to exercise if given, so enormous a power. As he read the section in the Bill—though, perhaps, it was not expressed with sufficient clearness—it was meant, among other things, for the purpose of enabling the Lord Lieutenant to deal with persons who might be reasonably suspected of any crime punishable by law committed in a prescribed district, being an act of violence or intimidation, or the inciting to an act of violence or intimidation, and tending to disturb the maintenance of law and order; and it could not, therefore, refer to common assaults, but to offences likely in a wider sense to interfere with the maintenance of law and order. It should also be borne in mind that the law of conspiracy, so far as this Bill was concerned, entirely vanished. The Bill was concerned only with individual acts and individual men, and that was a matter of satisfaction to his mind. The 3rd sub-section of the 1st clause provided that a list of all persons for the time being detained in prison under the Act, with a statement opposite each person's name, of the prison in which he was detained, and of the ground stated for his arrest in the warrant under which he was detained, should be laid before each House of Parliament within the first seven days of every month during which Parliament was sitting. He knew it was not the intention of Her Majesty's Government to invite the sanction of Parliament to such imprisonments or detentions; but the sub section to which he had referred would confer upon all Members of the House the right, and upon many of them the duty, of carefully watching the lists, and of raising questions in Parliament, if need be, upon the facts stated in the warrants of arrest. He should support the Motion for the second reading of the Bill, but should also support some of the Amendments of which Notice had been given, when the measure reached the Committee stage. In the first place, he should support the Amendment proposing to limit the past time during which a crime might have been committed which would justify arrest under the Act. He should not, at the present stage, say more on this point than that he entreated his right hon. Friend the Chief Secretary not to persist in asking the House to so widely extend the serious responsibility which the Bill would impose upon him. He should also support the proposal that the list of persons detained in prison under the provisions of the Act should also contain statements as to the specific acts of which those persons were accused, instead of setting forth broadly the grounds stated for their arrest. He was also disposed to support the Amendment of which Notice had been given by the hon. and learned Member for Tyrone (Mr. Litton), the object of which was to give the tenants some protection, pending the passing of the Land Act, from eviction for non-payment of excessive rent. He had urged and counselled the Government to place on the Table of the House a large, generous, and just measure of Land Reform before the second reading of the Coercion Bill; but as that had not been done they could not help themselves. That had not been done, perhaps owing to difficulties in the way of the Government, which he did not sufficiently appreciate at present. But though the Bill was not before the House he had no distrust as to what its character would be. He had confidence in the remarks of the Chancellor of the Duchy of Lancaster, in the promises of the Prime Minister, and in the necessity of the times. The hon. Member for Northampton (Mr. Bradlaugh) had stated that he would have more confidence in the proposed remedial measures, and less objection to the Coercion Bill, if the Government distinctly announced that they staked their existence on the passing of their Land Bill. But the existence of the Government was, of course, staked on the Bill. While he regretted that the terms of the Land Bill were not in the knowledge of the House, he could not suppose for a moment that after what Her Majesty's Government had said in reference to the probable nature of their remedial measures, they would so far depart from their tacit undertaking — having first obtained sanction to the coercive measures—as to retain Office and quietly accept defeat. That he regarded as an impossible and inconceivable issue. Apart from the expressed intentions of the Government and the goodwill of the Liberal Party, Parliament had to, and he hoped would, consider the attitude of the Conservative Party, whose Members had stated their desire and intention to give a most fair and candid attention to the Government proposals. Candid friends were not always the most agreeable, and candid criticisms were not always very palatable; but what more could be promised? There were yet other grounds for hoping for a successful issue out of the present state of things. One was the advanced views entertained on the Land Question by Ulster landlords and Conservatives; the other was the majority Report of the Agricultural Commissioners. He had himself signed the minority Report; but if it were not impertinent on his part, he should not like that opportunity to pass away without bearing his testimony to the fair spirit which presided over the whole of that inquiry, and especially to the patience and judicial impartiality of the noble President of the Commission (the Duke of Richmond and Gordon) in the reception of Irish evidence. It would not, however, be suitable that he should discuss the question of that Report now. He might refer hon. Members to it, and go so far, without impropriety, as to say that it was a preliminary inquiry, and, therefore, not an exhaustive Report; but that so vast had been the progress in English public opinion, founded on a larger knowledge of Irish necessities, since last year, that in that majority Report the principle of some arbitration or judicial decision as to a fair rent was conceded. With regard to the proposal of fixity of tenure and free sale the majority of the Commissioners did not commit themselves; but they did not exclude themselves from pronouncing some future favourable judgment. They confined themselves to saying, what they could all in one sense say, that the so-called "three F's" in their integrity had not, in their opinion, been proved to be consistent with justice to the landlords. But "in their integrity" was a phrase which they could discuss when the time came. He could not regard the future action of the Conservative Party, of which the Duke of Richmond and Gordon was so prominent and distinguished and influential a Member, as hopeless with regard to the great question of Irish Land Reform, which he believed to be, and which he believed they knew to be, not merely an economic question, but a political and social question of the greatest gravity and urgency. He had one more hope, with the expression of which he would conclude. The noble Lord the Member for Woodstock (Lord Randolph Churchill) closed his speech the other night by the utterance of a fervent prayer, which did him every credit, that that might be the last Coercion Bill he might ever be called upon to support. Prophecies were dangerous things, and especially in the case of Ireland, for they had all, Irishmen as well as Englishmen, been slow ever to learn the needs of Ireland, and had not always understood them — perhaps did not understand them then. He did not say that a Land Bill, however generous, however good, was a panacea for the ills of Ireland or the sole remedial legislation she required; but he had for some months given, he might say, the whole of his time and the whole of his heart and mind to this question, in which he took the deepest interest, and he was bound to express the hopefulness he felt with regard to the future of Ireland after the passing of a great, a generous, and a just measure of Land Reform; and he believed, looking back into the past, that there never was yet a time—not the time of Catholic Emancipation, not the time of Church Disestablishment, not the time of the Land Act of 1870—when as Englishmen and Irishmen they were so near, if they could but see it, to a true, a real, a hopeful solution of this great Irish trouble as when they should have passed, as he trusted they might yet pass, a measure of Land Law Reform which would give security and a sense of security to the Irish tenant, which would multiply the proprietors of the soil of their country, thus giving a fair and, he believed, not a deceptive or delusive promise of a future for Ireland of peace and progress, with order undisturbed, beneath the safeguard of the ordinary and Constitutional laws of this United Kingdom.

Mr. TOTTENHAM would not have risen to address the House but for the fact that hon. Members below the Gangway had held themselves out as the Representatives of the great majority of the Irish nation, instead of describing themselves as that minority of Irish Members who wished it to be supposed they represented all the intelligence of Ireland. It had been recently shown by the Prime Minister that by no possibility could that section of the Irish Members be taken as more than 46 out of 103, or 45 per cent of the whole. He believed that that was a liberal estimate; but he would accept it for the sake of being for once in the same boat with the right hon. Gentleman. It had been the burden of the song repeated *ad nauseam* by hon. Members below the Gangway that the general opinion of the Irish people was against this measure of coercion, as they were pleased to call it. He could not pretend to speak the opinion, as he knew nothing about the opinion, of the rebellious and disorderly, with whom a certain number of the Irish Members had recently been in the closest and most intimate relations.

MR. ARTHUR O'CONNOR: I rise to Order. Is the hon. Member in Order in stating of many hon. Members of this House that they have been recently in close and intimate relations with the rebellious and disorderly?

MR. SPEAKER: If the hon. Member charged hon. Members of this House with rebellion no doubt it would be out of Order; but I did not understand him in that sense.

MR. TOTTENHAM said, he claimed to be one of those who represented the opinion of the majority of the Irish people on this question—the intelligent, the honest, the law-abiding, the lovers of order in Ireland, those who had some stake in the country, whether they were farmers, or traders, or merchants, or professional men. Of these the vast majority were in favour of any measure by which the present discreditable state of things in Ireland could be brought to an end. Those classes were not afraid of the operation of the Act. Why should they be? No orderly or law-abiding citizen need be. The clients of hon. Members below the Gangway, the assassin, the incendiary, the inciter to sedition, the writers of infamous letters, the miscreants who, with the courage of numbers, and under the cover of darkness, perpetrated those offences against the laws of God and man, of which the House had heard too much of late, were the men who were afraid of the operation of the Act. Honest men did not fear it. On the contrary, they wished for the day to come when the Bill would become law, for they knew that with that day would come a collapse of the ruffianism which had too long pervaded the country. He believed that if the great majority of those who were under the influence of the Land League could safely speak their minds, they would unhesitatingly denounce the doctrines preached by that League; but they were prevented expressing their real opinions and independent convictions because they knew what the consequences to themselves would be, and the evils to which they would be exposed at the hands of the agents of the Land League. The senior Member for Northampton (Mr. Labouchere), speaking in reference to the Bill the other evening, said that he had heard Irish landlords state they would use the Coercion Bill to enable them to clear their estates of their tenants before the Land Bill became law. The noble Lord the Member for Middlesex (Lord George Hamilton) forestalled him in challenging the hon. Member to mention the names of those to whom he referred. The hon. Member declined to do so publicly; but promised to let the noble Lord have the names in private. Well, his noble Friend had shown him the names given to him by the hon. Member; and he held in his hand letters from each of the two noblemen named, and a more emphatic denial could not be penned than that which they gave to the statements of the hon. Member. He would not mention the names publicly as they had not been so mentioned already; but one said—

> "He had distinctly to state that he had no communication with Mr. Labouchere of any sort or kind on any subject since about June, 1880; and, consequently, it was absolutely untrue that he could have stated to Mr. Labouchere that he intended to use the Coercion Bill as a means to clear his estate before the Land Bill became law."

The second contradiction was in somewhat similar terms. The writer said—

> "Mr. Labouchere has entirely misunderstood and misconstrued any remarks that may have fallen from me in his hearing, for I deny *in toto* ever having made any such statement."

He thought those letters would show that a gross calumny was never sought to be supported by a more unfounded statement emanating from a perverted imagination. With reference to the case of Lord Dunally, if the hon. Member for Northampton had taken the trouble to inquire, he would have found that the facts did not justify the construction he put upon them. There was no ground for the statement that it was the practice of the noble Lord to fine every young woman about to marry one half her fortune; but it was the practice on the estate to fine the tenants for the renewal of leases. The statements in the noble Lord's letter had reference to that practice, and none whatever to the social arrangements of the families. The hon. Member for Northampton, and also many other Members, had endeavoured to show that there was no connection between outrages and threatening letters; but he should be able to show, from the Return itself, the utter fallacy of such an argument. The first case he would take was on page 53 of the Return that extended from February to October. On the 18th of September, Lawrence Griffin, who was caretaker over a farm from which the tenant had been evicted, received a threatening notice; and in the month of December an armed party visited the house and cut off Griffin's ear. Lord Mountmorres received a threatening letter in February, and in September he was murdered. Case No. 137, on page 122, was that of Dr. R. Gibbings and Mr. R. V. Stoney; a notice threatened the life of any person taking a farm just surrendered to them; and case No. 144, on the next page, was the burning down of the dwelling house on the farm on the 19th of October. Before the date of the Returns in the King's County, a man who had taken some land from which a tenant had been evicted received notice that if the hay upon it was drawn he would be shot; and he was shot, in broad daylight, as he was drawing the hay. On page 7 was recorded the murder of Mr. Charles Boyd, on the 8th of August; and from page 24 it appeared that on the 24th of September the father, Mr. J. Boyd, Mr. J. T. E. Boyd, and Mr. F. A. Leigh, were threatened by a notice posted on a gate. It spoke of "Death to the Boyds and all land robbers," and stated that the writer was watching Messrs. Boyd and Mr. Leigh, and that their day of doom was near. On the 6th of October Mr. T. Boyd received a letter threatening that he would be done away with like his son. On page 119 there were the details of the murder of David Feerick, in the county of Mayo. He died on the 14th of August of wounds received on the 29th of June. Before his death, his medical attendant, Dr. Kelly, received a letter threatening that he would be treated like Mr. Feerick, should he recover. Could any hon. Member affect to believe there was no connection between crimes and threatening letters? He should insult the intelligence of the House by attempting to demonstrate the connection. It was amply shown by the instances he had given, and they could be multiplied indefinitely, had he had time to analyze the Return thoroughly. It was incontestable that there was a distinct connection between threatening letters and outrages.

THE O'DONOGHUE: Only in the three or four cases you have been able to select.

MR. TOTTENHAM continued, that it was necessary that the majority of Irish Members, as well from the West as from the North and the South, should be heard; and he felt it important that the statements of the hon. Member for Northampton and other Members about threatening letters should not go uncontradicted. In supporting a Bill which he felt to be necessary for the protection of all honest men in Ireland, of all classes and grades, as well as for the suppression of criminal practices, he did so under a deep sense that had the proper steps been taken to check the growth of this evil in its earlier stages, the responsibility which now lay upon the shoulders of Her Majesty's Ministers would not, as it now did, come between them and their rest.

MR. WILLS said, that, as an English Member, he had no personal connection with Ireland; but he did not on that account feel the less interest in that country and its people. He believed that English Members were actuated by the same desire to act justly and generously to Ireland as they were towards Scotland. It was, however, with a feeling of disappointment and pain that he realized the fact that they had not succeeded in securing the confidence or concurrence of the Irish people in much of the legislation they adopted towards them. He was afraid that the spirit in which they had of late years approached Irish legislation had not been that best calculated to win the sympathy of the Irish people. That would be found to be the case if they looked back for a century and a-half; but he now believed that there were brighter days in store for that country. Having much faith in the intentions and goodwill of the Government, he trusted that the promised Land Bill would do much to re-unite the two countries, and to remove grounds of discontent in Ireland. He should have been glad if the Government had seen fit to bring in the Coercion Bill and the Land Bill concurrently, or, at least, had seen its way to place in the hands of hon. Members the draft of the proposed Land Bill. He had a strong conviction that coercive measures were not remedial measures; and if the Bill before the House stood alone he should hesitate in the course which he was about to take. He only regarded the Bill which was now under consideration as a portion of the Land Bill which was to be brought forward; and, in adopting the Coercion Bill, he believed that the House would be preparing the way for that legislation on which they had placed so much reliance as likely to satisfy the Irish people. He had listened to speeches on both sides of the House in reference to the list of outrages placed before them; and while he admitted that they were not all agrarian, he was not prepared to say that they were, as an hon. Member had said, "deceptive or dishonest." He believed that the Chief Secretary had made out a case in which he had shown that the law was paralyzed, and the functions of social life were seriously interfered with, and that life and property required protection. The powers asked in the Bill by the Government were of a large, wide, and comprehensive character. Members on both sides of the House had, over and over again, stated that the extraordinary powers ought to have been applied for before this, and others had thought they ought never to have been applied for; but he thought the truth lay between the two extremes, and the Chief Secretary had been guilty of no undue haste in the matter, and had not asked for strong powers until he found that they were absolutely necessary. When the powers were conferred upon the Government he hoped that they would have such an effect that it would not be necessary to exercise them; but, in all circumstances, he believed that the measures would be enforced fairly and humanely. He hoped that before the measures expired the Chief Secretary would have the satisfaction of being able to announce that he could do without exercising them. He regarded the measure as a temporary one, and he hoped that the Administration might see its way to excluding its retrospective action. But he had confidence in the Government that they would not abuse their powers, and that they would bring in a measure which would be of great benefit to Ireland. He believed that it preceded a measure that would bring friendship between England and Ireland, and, at the same time, give protection to life and property in the latter country. Therefore, in what he believed to be the real interest of the two countries, he said he should support the second reading of the Bill.

MR. BELLINGHAM said, he could not help thinking that coercion for Ireland was altogether a mistake. He admitted that much that was objectionable had taken place; but the ordinary law was quite sufficient to cope with it. What he particularly objected to in the Bill was the retrospective clause. This was *ex post facto* legislation, which was always bad, and out of harmony with the traditions of the House of Commons. Even *The Irish Times*, which was not in favour of the Land League agitation, had described the Blue Book outrages as "trumpery trivialities," re-duplicating the offences, and altogether disapproved a Bill founded on such evidence. He was not surprised at a Coercion Bill being brought forward by a Liberal Government. There had been 48 Coercion Bills since 1830, and of these 33 had been brought in by Liberal Governments; 15 only had been introduced by Conservative Governments, and out of those 15, seven were the work of a Coalition Government, called by Mr. Disraeli a "Government of organized hypocrisy." With regard to the present Coercion Bill, why it was so particularly obnoxious, coming from the present Government, arose from the fact that both before the Dissolution and during the General Election the Prime Minister and his Colleagues did nothing but go about appealing to the passions of the people. They raised hopes among the Irish people which could hardly be realized. Having come into power with a sweeping Radical majority, during their first Session they did nothing for Ireland except to bring in the Compensation for Disturbance Bill; but the less said about that unhappy measure the better. After that they adopted the "shilly-shally" policy. They called Parliament together a month earlier than usual, and brought forward one of the strongest Coercion Bills that had ever been introduced, and they had since employed themselves in seeking for precedents to coerce the Irish Members of that House. Certainly, if the Tories scourged the Irish with whips, the Whigs were scourging them with scorpions. The Government had well repaid their dupes who spoke so highly of them when they came into Office, and would be remembered in future as the Government of recklessness, rant, and rust. The Irish people were quite as loyal, and, indeed, more loyal than the English; but they had never had fair play. No doubt there was a majority against them; but it was a majority of English and Scotch Members. The majority of the Irish people were totally against coercion, and looked for remedial measures. The present movement was wholly unlike that in 1848. There were no secret societies now. The present movement was neither Radical nor revolutionary. Of course, all outrage and crime was wrong; but there was nothing illegal in agitation. If the gentry had acted fairly and justly to the people, adopting the national sentiment and acting in accordance with the national tone, and had come forward in 1873 to lead the people in the Home Rule movement, the present agitation would not have developed in the way it had done. Some 30 years ago the then Mr. Disraeli said he thought the only way to govern Ireland was to get rid of the English institutions which had been imposed on the country, and to re-construct the social system on a plan the reverse of that existing in England. At present it was neither one thing nor the other; it was not English, it was not Irish; and while, on the one hand, they were denied equality, on the other they were not allowed to govern themselves according to their own ideas. He protested against this Bill, and he hoped for the sake of his constituents and himself, and of all those who were fond of their country, that after that odious and immoral measure of coercion they might have at last the benefit of remedial measures for Ireland.

Mr. RODWELL said, that the hon. Member for the County of Limerick (Mr. Synan) asked upon what possible evidence Scotch and English Members could be asked to pass this Coercion Bill? He (Mr. Rodwell) could not understand why the question was asked in the presence of such evidence as was now before the House as to the disordered state of Ireland. The evidence in support of the Bill was not only abundant, but more than abundant. Even without those statistics, the accuracy of which might in some instances be called in question, he believed the people of this country would be convinced that a Bill like that was necessary for the better government of Ireland. Any Gentleman who had any connection with Ireland, as he had, must for the last six months have been receiving letters which showed that there was something wrong in that country, and that greater security for person and property was absolutely required. He would lay aside the Charges from Judges and the Reports of the Constabulary, and still there was ample evidence to show it. It would be as idle to deny that they had had Arctic weather of late because there might have been some variations in the bulb of the thermometer. Was it a fact that in Ireland the law was not obeyed? As a proof of that it would be sufficient to quote the not very choice, but expressive language of the hon. Member for Wexford (Mr. Healy), a few nights ago, when he said that the law of the Land League had knocked the ordinary law of the land "into a cocked hat." That was an admission of the fact that the law of the Land League, which was no law at all, had superseded the ordinary law; and this fact showed, if anything could, the necessity of exceptional legislation for Ireland. The right hon. Gentleman (Mr. Stansfeld) had referred to the Duke of Richmond and Gordon's Commission on Agriculture. He would not go into that matter further than to say that he had lately had an opportunity of seeing a great deal of Irish affairs; and he would make the frank admission that much of the prejudice which he entertained before had been removed by the evidence put before him. Facts were brought to his knowledge which satisfied him that in addition to the acts of violence and outrages commented on by his hon. Friend the Member for Leitrim (Mr. Tottenham), there prevailed in Ireland a system perhaps still more odious—the interference with individuals, and the compulsion put upon them, against their consciences and their wishes, to obey the orders of the Land League. He knew an honest, peaceable, inoffensive, and respectable man, occupying a large farm which had been held by his family for upwards of 100 years, and it came out that he was a member of the Land League. When asked was it true, he said, with a blush upon his face, that it was. When further asked why he had joined the League, he answered—

"The laws of my country could not protect me, the Government could not protect me, and I was obliged to join the Land League to obtain protection for my family and myself."

MR. BYRNE: Where was that?

MR. RODWELL said, that when that Bill was passed he would give the name. That fact spoke volumes; but did anyone suppose this was a solitary instance? He believed there were thousands, and tens of thousands, enrolled under the banners of the Land League who had been brought into it by an odious and unrelenting form of conscription, and on the passing of that Bill the ranks of the League would be found to be very much thinner when its muster roll was called. When this man whom he had mentioned had been relieved, and knew that the law of the land would protect him, he would immediately withdraw from an organization of which he had never approved. It had been asked why the law was not put in force; and the hon. Member who spoke last seemed to intimate that the ordinary law was enough if put into operation. Other Members had also repeated that expression; but he (Mr. Rodwell) had considerable experience of the administration of the Criminal Law; and he would ask, what was the use of blaming the magistrates, the Judges, and the police, when the prosecutors themselves prevaricated, witnesses stood dumb, and juries dare not convict in consequence of the power of those very men who were guilty of illegal practices? He felt quite sure the Members of the Government would be the very last men to bring in this Bill if they were not satisfied there was occasion for it. He could well understand that the Chancellor of the Duchy of Lancaster (Mr. John Bright), and the whole of the Cabinet, felt annoyed by the ingratitude which the Irish people had shown them; but the Chief Secretary was only doing his duty to the public, and to the majority of the Irish people. The hon. Member for Roscommon (Mr. O'Kelly) made a statement the other night which struck him (Mr. Rodwell) very much at the time; and, in order to test the accuracy of that statement, he had made an analysis of certain Returns which would satisfy everyone that the statement in question was inaccurate, which was to the effect that the Coercion Bills had not been effective, and had failed in every instance in which they had been introduced. That hon. Member also laid much stress on the assertion of the Chancellor of the Duchy of Lancaster—namely, that force was no remedy, and that outrages had gone on in spite of coercion. If coercion had not been a specific, he (Mr. Rodwell) could show, both by positive and negative evidence, that it had the effect of reducing outrages in a marked and particular way, and he could also prove that in the absence of coercion crime had increased. From 1835 to 1840—he would not give the intermediate figures—the number of outrages in the first year was 10,350, and they gradually diminished until 1840, when they got down to what was a large number in one sense, but a small number in another, the number being 4,069. That was less than one-half. In 1840 the Coercion Act expired, and from 1840 to 1845 there was no Coercion Bill. Now, in 1841, the year the Coercion Bill was withdrawn, the number of outrages was 5,370; and he found they gradually increased year by year, until, in 1845, they came up to 8,095. These figures, therefore, disposed of the observation that Coercion Bills had no effect in preserving the peace. He (Mr. Rodwell) had shown, both from positive and negative evidence that such was not the case. What took place in 1846 and in 1847 they had better throw a veil over, for the sake of the public men engaged in the proceedings of those two years. The language which the hon. Member for Louth (Mr. Bellingham) had quoted as coming from Mr. Disraeli showed that coercion was necessary for Ireland. It meant that they must have a strong Executive for Ireland, for Mr. Disraeli said that the laws and administration applicable to England were not applicable to Ireland. Mr. Disraeli must have intended to convey that the condition of England and Scotland, or the temper and disposition and habits of the people of those countries were such that they required the least amount of government consistent with order, and with regard to Ireland the habits and disposition of the people were so peculiar that they required the greatest amount of government consistent with freedom. The House had heard much of Constitutional freedom; but the question was, whether this Bill really interfered with freedom at all? What had the peaceable and loyal subject to fear from exceptional legislation? This law, like all other laws, was only a terror to evil-doers. He (Mr. Rodwell) had been at a loss to conceive why so much stress had been laid on this. If he was to be told that those outrages, which included threatening letters, the mutilation of cattle, and murders, were not crimes, he, of course, had nothing more to say. But if it was admitted that these were crimes, and that the law was unable to meet them, then every one of those Members who opposed the Bill ought to vote in favour of it. He (Mr. Rodwell) had never given a vote in favour of any Bill with less reluctance than this. He could not say, however, that it gave him any satisfaction or pleasure to do so, because he regretted that the necessity for it had arisen. He had some sympathy with those who were misled by demagogues and conspirators; and he trusted the law would extend as much to the agitators as to the perpetrators of the outrages which had brought Ireland into her present miserable condition.

Mr. MACFARLANE said, he thought they should not only look at the number of outrages in Ireland, but also at their character. In the county he represented —Carlow—which had a population of 50,000, he saw that in November the returned agrarian outrages amounted to nine only, and that eight of those consisted of threatening letters and notices. He detested as much as anyone the practice of sending threatening letters, deeming it to be mean and despicable; but, at the same time, he thought it extraordinary that they should be gravely set down in official documents as agrarian outrages. He should be glad to know, if this Bill passed, whether those who wrote threatening letters would be any more accessible to the officers of the law than they were now. But, after all, the writing of a threatening letter was not an outrage which required coercive measures to suppress. It appeared to him inconsistent on the part of the Government to declare through some of its most eminent Members "that force is no remedy," and shortly afterwards to come to the House and ask for force as the only remedy. He regretted deeply that the Government had brought forward a Bill of such extraordinary severity, and he protested against the measure, believing that no case had been made out for coercion. He feared, however, there was sufficient strength behind the Government to enable them to carry measures which, however acceptable they might be in "another place," the great body of the House of Commons must lament. He understood that the Bill was aimed at a body called the Land League. He was not a member of that body; but he knew many respectable people, who would not think of joining any Communistic or revolutionary association, did belong to the League. He believed that the League was not responsible for the crimes with which it was charged. Two generations had passed since the Devon Commission reported in favour of all that was now asked by the Irish people; and it was sad to think that no single act of justice or reparation should have been done in their case, except because of some rebellion or disturbance. The result was that while there was no country in which individual Englishmen were treated with greater hospitality, the English Government was hated as no Government could he believed, be hated, unless it was, in a great measure, its own fault. There were at the present moment, he might add, 500,000 tenants in Ireland who were dependent on the will or humour or digestion of the landlords for their existence; and it was, he contended, in the interest of the two countries that that state of things should be put an end to, and that concord should be established between them by a policy of justice and conciliation, and not by a policy of exasperation, which would only serve to widen the breach which already existed. He was quite confident, however, that no Land Bill which they might introduce, no matter how good it might be, would be as acceptable as it would have been had it preceded a measure of coercion.

Colonel COLTHURST said, the hon. Gentleman the Member for Leitrim (Mr. Tottenham) was entirely mistaken in supposing that the opposition to the Bill was confined to those who sympathized with crime and disorder in Ireland, or who were supporters of the Land League. There were, he could assure him, thousands, who had had nothing to do with the agitation which had been set on foot by the League, who were entirely opposed to coercion, because they regarded it as a return to the bad policy of the past. For his own part, although he had felt it to be his duty to separate himself from those Irish Members who sat below the Gangway on the other side, some weeks ago, and should have done so in any case, on account of the tactics to which they had thought fit to have recourse within the last few days, he objected as much as they did to coercive legislation, and he should vote against the second reading of the Bill. He would, however, be no party to a policy of Obstruction and delays, because, knowing the sentiments of the Irish tenant farmers, he was satisfied that they were anxious that a Land Bill should be introduced and passed into law as soon as possible based on the principles of fixity of tenure, fair rents, and free sale. He thought there could not be a more mischievous delusion than that the agitation, reprehensible in many ways as it had been, was entirely confined to the criminal classes, or was maintained by terror alone. If it had been maintained by terror alone it never would have attained the power it had. It appealed to the deep-seated feelings of the people of Ireland in other ways. There might be—there had been—terror; but that terror would not be effective without sympathy. They must go to the root of the matter; they must not be content with removing terror; but they must endeavour to dry up and cut away the sources of the sympathy.

MR. INDERWICK said, it was not until he had an opportunity of seeing the Bill and its provisions that he satisfied himself, should it pass through the House, it would not create a bad precedent for future times of disorder, or in times of peace be used by great majorities in any adverse way to Her Majesty's subjects. Macaulay had laid it down that legislation of a retrospective character was wrong in principle if it brought within its operation that which was not an offence before it passed; but that it might be retrospective in character without danger if it only dealt with procedure. That was the case with the present Bill. It created no new crimes, no new offences. It did not give, whoever might be the authority, whether the Lord Lieutenant or Chief Secretary, power to deal with any person who had not presumably been guilty of some offence known to the present law. The effect of passing the Bill into law would be no alteration of the law as was supposed; but it would be an alteration of the procedure under which the law was administered. It put, for a time, into the hands of the Executive a new form of procedure applicable to the state of things now existing in Ireland, and enabling the law to be administered. He had felt great difficulty, in the first instance, in supporting coercion at all. It was a measure necessarily of a character offensive to those professing Liberal principles. When, however, hon. Gentlemen quoted the number of outrages that had taken place in Ireland as not justifying the Bill which the Government had introduced, they were mistaken in the principle which they applied in dealing with the question. It was not a question of how many outrages or what class of outrage had taken place; but rather how many cases had the law failed to deal with. In some instances, in November, only 3 per cent of the crimes committed were followed by convictions; and any person acquainted with the administration of the law would at once see clearly what was the state of things then existing. The Bill differed very considerably from the Acts of 1848 and 1866, but the difference was in favour of the liberty of the subject in Ireland; and although the Westmeath Act of 1871 did not exactly form a precedent for it, yet the measure was a very careful model of that Act. The Government now had to deal with a similar state of things to that which existed in 1871; and under this Bill no person arrested could be kept in prison for more than one month without Papers being laid before Parliament showing the circumstances of the arrest, which circumstances might be challenged by any hon. Member. Such a provision was not to be found in previous Coercion Acts; and as far, therefore, as that clause was concerned, the Bill was framed in favour of any person who might be charged under it with any outrage or offence.

MR. LABOUCHERE said, he did not propose to trouble the House with a second speech on the subject; but the hon. Gentleman the Member for Leitrim (Mr. Tottenham) had, in his absence, impugned some statements which he had made. It would be remembered that he had in his speech divided the landlords of Ireland into two classes—those who had purchased under the Encumbered Estates Act, and those who were benevolent persons and had lived in Ireland for a long time. With respect to the latter, he said that, although benevolent, they were angered at their tenants not paying them their rents, and it was very probable that as soon as the pressure of the Land League was taken off they would insist on the rents being paid. The noble Lord the Member for Middlesex (Lord George Hamilton) had asked him to name any gentleman who had said so, and he (Mr. Labouchere) naturally replied that he could not give names in public with respect to what was said in private; but he afterwards privately gave the noble Lord two names. The hon. Member for Leitrim now said that either he or the noble Lord who represented Middlesex had written to these two gentlemen, and one had stated that he (Mr. Labouchere had misapprehended him, and the other that he had not seen him for a year. With regard to the first gentleman, if he had misunderstood him, of course he had nothing more to say; but he certainly did understand him to state that as soon as the Bill was passed he would institute proceedings in bankruptcy against those tenants who had not paid their rents. But with reference to the other gentleman, he had told the noble Lord that that person had said to him a year ago that he would not lower his rent, and that in the event of the tenants not paying he would evict them as soon as he could. His (Mr. Labouchere's) former statement was, therefore, perfectly correct. But the question did not depend upon what this or that gentleman said or did. It was self-evident that the intention of the Bill was to enable the ordinary law to be enforced in Ireland. The intention was that if a tenant owed rent and would not pay the law should step in and make him pay. If this were not the intention, and if the landlords did not intend to act on this intention, why had the Bill been brought in? If the hon. Member for Leitrim really spoke for the landlords of Ireland, and really told them that after the pressure of the Land League was taken off the landlords would in no case evict tenants, this seemed to him to be the most powerful argument possible against the Bill, and he would suggest to Ministers that they should withdraw it, because they were—he would not say casting pearls before swine, for he would not call the Bill a pearl nor the landlords swine—but they were wasting the valuable time of the House, as it appeared the landlords neither required nor wanted the Bill.

Mr. BLENNERHASSETT said, this was no light or trivial matter. Disguise it as they might, call it a measure of protection, or of safety, or by any other name they pleased, the extraordinary gravity of the fact could not be disguised that they were asked to consent to a measure, the effect of which would be to suspend, for a considerable period of time, the main guarantee of personal liberty in Ireland. He did not understand the feelings of any Irishman, whatever his political opinions might be, who could regard such a proposal without the utmost jealousy and dislike. They might have confidence in the impartiality of the Executive, and full belief in the desire of those to whom those powers were to be intrusted to use them with justice and even with generosity; but no Executive, however admirable, and no Administration, however just, could save them from the deplorable consequences which must flow from these proposals. What they ought to wish for Ireland was, that she should be governed, as this country was governed, by the respect which her people had for the law and the Constitution under which they lived. When they set aside that law and suspended that Constitution, they widened the breach which separated them from this state of things. The circumstances under which these proposals were brought forward were unfortunate in the last degree. These proposals were a source of apprehension and irritation at a time when the interests of Ireland required that a spirit of moderation and of justice should facilitate the settlement of a great social difficulty, and when it was most important that all sections of her people should loyally co-operate in the removal of grievances which were now generally admitted to exist. The sufferings of the Irish peasantry during the recent years of bad harvests and agricultural depression had attracted public attention to a condition of things which was a disgrace to humanity; and public opinion had resolved that, so far as wise and just and careful legislation could remove this scandal and disgrace, no sacrifice of the time and labour of Parliament should be spared to make that legislation effectual. What, then, could be more unfortunate than that the precious hours of this Parliament, hours destined and devoted to the sacred work of making good laws for Ireland, should be diverted from it to the humiliating task of restricting the liberties of the Irish people. Every hour taken for the purpose of this restrictive legislation was abstracted from the time which would be available for the consideration of those remedial measures—too long delayed—to which the whole population of Ireland was looking forward with anxiety and with hope. Every hour consumed in this ungrateful task prolonged the agony of hope deferred in many a cottage home, and kept every portion of the community in a state of most painful suspense and agitation. He had one object—and one object alone —in the part which he desired to take in these transactions; and that was to bring about, with the least possible delay, the adoption of those healing and remedial measures which would alone restore tranquillity and confidence in his country. He could not be blind to the fact that the golden opportunity which they now possessed might be as brief as it was rare, and that, whatever might be the strength and the direction of political forces in the future, now was their time and their opportunity. He should not consume the time of the House in the discussion of abstract principles; those vague and general propositions led to very little, unless there was a plain and earnest desire to apply them to existing difficulties. The right hon. Gentleman brought this measure before them on the only plea which could possibly justify it, the plea of absolute and extreme necessity. He assured us that without these exceptional powers the Executive could not be responsible for the maintenance of social order and the preservation of the public peace. The right hon. Gentleman had at his disposal sources of information which no private Member could possess; and on the strength of that information, and on the evidence he had laid before the House, he told them that he could not answer for the safety and security of the country if these powers were withheld. No one who had actual knowledge of Ireland, or any perception of the value of evidence, could doubt that a considerable portion of the country was in a highly excited and serious state. No one could venture to deny that, among a people honourably conspicuous for their freedom from ordinary crime, acts which everyone must deplore had recently been committed. Everyone must acknowledge that the movement for agrarian reform—a movement arising out of the sense of agrarian wrong—had, like almost every movement of the kind in the history of the world, led to excesses and to violence, and to a confusion of personal rights which caused much suffering and alarm. Looking back upon the history of the Land Laws of Ireland, the injustice and the hardship which they permitted to exist; the rankling sense of wrong and injury which they fostered; the blank despair which they engendered in many a peasant's heart; and the utter failure of protracted efforts to obtain adequate redress, he thought no impartial historian in future years would wonder at, or even greatly blame, the passion and excitement of the present time. It had been said with truth by a great authority that in the country of all Europe where the system of land tenure was most important, that system was the worst. They heard a great deal of the Land League and the despotism it exercised. He should not be suspected of seeking the favour of the Land League; but he desired to speak of it with justice. When the Land League was first formed no one watched its progress with greater interest and anxiety than he did. He watched its proceedings with attention, and not without sympathy, and he earnestly wished that he could see his way clear to join it. It seemed to him eminently desirable that a body should be formed which would combine the forces of the occupiers of land in Ireland in a great and determined effort to put an end for ever to the scandal and the misery of the land system. Well, he was not able to join the Land League, because it soon put forward a statement of its views as to the settlement of the Land Question which seemed to him neither wise, nor just, nor reasonable, and it adopted methods of enforcing those views of which he could not approve. He did not join the Land League, because it was impossible for him to do so without acting in direct contradiction to the opinions he had always expressed on the Land Question; and, as it seemed to him, without doing violence to those principles of justice and of order which were the foundation of society. Though he could not join the League, he felt bitterly his exclusion from the privilege of working heartily in a combined effort with the mass of his countrymen in the great cause of Land Reform; and if he had any pleasure, or hope, or satisfaction in remaining in Parliament, it was that, in the only way open to him, he might still take a part in that great and necessary work. The scruples which kept him away did not deter—who could expect that they would deter—the poor and suffering peasantry from joining the only organized movement which promised them relief. The result was the great agrarian agitation with which they were face to face to-day. He was not going to make any attack upon the Land League. He recognized and admired the remarkable ability with which it had been conducted. He believed there were to be found in its ranks men who were animated by a sincere love of their country, and a passionate indignation at her wrongs. He believed there were men in it also who deplored any acts of violence or outrage that took place, and would prevent them if they could. But could any man in his senses deny that acts of violence and outrage did take place, and that the ordinary law was powerless to prevent them? He was struck with what his hon. Friend the Member for Longford said, that those outrages were the work of the scum and residuum that belonged to every movement, who sought to avenge their private wrongs under the guise of belonging to the Land League. That might be so; but the fact remained that the offences did take place, and whether they were the result of the violence and excitement which so often followed in the wake of a great political agitation, or whether they were the acts of persons who used that excitement as a cloak for the gratification of private malice, the condition of public feeling and the state of the country were such that the law was impotent, and these offences went, for the most part, undetected and unpunished. These were the circumstances under which they were asked to grant the Executive special powers. Those who were responsible for the peace of the country declared that the ordinary powers of the law had been tried and were not sufficient. They assured us that the exceptional powers they asked for would be effectual, and they based their appeal on the strong ground that the first duty of Government was to meet the necessities of public order, and to guard alike the rich man's mansion and the poor man's cottage from outrage and attack. The principle of coercion was odious to him; he hated it and he shrunk from it; but he could not find it in his conscience to incur the tremendous responsibility of refusing powers which those who were best informed considered necessary, and which he himself believed to be necessary for the protection of the lives and liberties of the people. He could not do his feelings the violence of going into the Lobby in favour of this Bill—that was a humiliation and a sorrow which he felt he might spare himself; but he should not offer it any opposition. When violence and outrage proceeded from injustice and a sense of wrong, the wrong and the injustice should be redressed; but crimes, from whatever cause they might proceed, must not be permitted to go unpunished. He could not consent to the sacrifice of privileges so precious and invaluable did he not feel convinced that without this temporary sacrifice it would be impossible to restore to Ireland the public peace and social order, which were the foundation of all freedom. If anything could diminish the pain which he felt, it was his confidence that these powers would be intrusted to a Government, the composition of which was a guarantee against the apprehension of abused authority. He must confess, however, that great as was his hatred of anarchy, he had so profound and deep a sense of the magnitude of the evils arising out of the present state of the Land Law in Ireland, that he could support no Government which he did not think was prepared to give his country not only peace, but justice. He did believe that the present Government were resolved to accompany the exercise of these powers with full measures of concession and conciliation; and he thought they must feel that the very circumstance of their having to come to Parliament with this painful request laid upon them an additional obligation, and enhanced, to the very utmost, the responsibility they had undertaken of submitting to Parliament, at the very earliest opportunity, full measures of redress and of justice. He regretted that Her Majesty's Ministers had not seen their way to give more ample information as to the character of their remedial measures. He felt sure that if they did so the effect would be to mitigate, to a remarkable extent, the apprehension and anger which their restrictive measures would undoubtedly arouse. It would be a great gain to have set the minds and hopes of the people at rest by a full statement of the intentions of the Government before this strain was laid upon them. He should venture to express a hope that, at the very earliest opportunity, this information might be afforded. They knew, however, that the introduction of remedial measures depended upon the state of Public Business; and, therefore, it seemed to him to follow, as a matter of necessity, that, subject to the due and proper discussion which, he fully admitted, the gravity of this occasion demanded, those who were in earnest in desiring to see remedial measures introduced and carried into law should deprecate and deplore the undue prolongation of intervening debates. There were two ways of obstructing a measure, and there might be two classes of Obstructives. They could delay the passing of a measure by discussing at inordinate length the measure itself; they could delay it just as effectually by impeding the progress of any measure which preceded it. Hon. Members opposite from Ireland were very anxious to delay the progress of this measure. Let them take care that they were not pulling the chestnuts out of the fire for the natural and traditional Obstructives with whom they had elected to sit. It might be that he did hon. Members opposite of the Tory Party injustice when he said that they might probably be not unwilling to impede and to delay the remedial legislation of the Government; but to secure consideration and delay was said to be their special function in the political system. Of this he felt assured, that if they sought seriously to hinder the application of remedial measures to Ireland, they did not understand Ireland, they did not understand their own interests, and they did not understand the interests of those whom they thought they were serving. Every day, and every hour, that these remedial measures were deferred was a misfortune to Ireland, and to every class and section of her people. When Charles I. asked Selden what was the best way to put down a rebellion, Selden answered, "Remove the cause." He (Mr. Blennerhassett) hoped there would be no rebellion in Ireland; but he was sure that if anything would do so, Tory policy would make one. There was, however, a social disturbance and upheaval of the most serious character, and a condition of things now existing in that country which could not be met by the old and bad remedy of mere force. They talked of the excesses of the peasantry and the violence of the Land League. They had brought about those excesses, and excited that violence, and made the Land League possible by their long and obstinate and unwise resistance to reasonable and just demands. He saw danger to the landlords and the propertied classes of Ireland; but it was danger which arose not from the proposal of wild and impracticable schemes, but from their own folly and blindness. Mr. Macaulay, speaking from this place, once described the fall and the exile of the French *noblesse* and the ruin of their abandoned homes. And, he asked, why were these haughty nobles destroyed with that utter destruction? why were they scattered over the face of the earth?—their titles abolished, their escutcheons defaced, their parks wasted, their palaces dismantled, their heritage given to strangers? Because they had no sympathy with the people, no discernment of the signs of their time. Because, in the pride and narrowness of their hearts, they called those whose warnings might have saved them theorists and speculators; because they refused all concession till the time had arrived when no concession would avail. It would not do to shout for coercion, and to denounce the leaders of agrarian agitation, and to talk of force, and fraud, and folly, if they had no suggestion to offer for the settlement of a great and pressing difficulty, if they did not seriously desire and determine to put an end to a state of things which, if it were not firmly and wisely dealt with before it was too late, would assuredly produce results which all hon. Members would bitterly and in vain deplore. Let him remind hon. Members of what a great man had said, in words as wise as they were eloquent—

"The true secret of the power of agitators lies in the indolence or faithlessness of those who ought to take the lead in the redress of public grievances. The whole history of low traders in sedition is contained in that fine old Hebrew fable which we have all read in the Book of Judges. The trees meet to choose a king. The Vine, and the Figtree, and the Olive decline the office. Then it is that the sovereignty of the forest devolves upon the bramble; then it is that from a base and noxious shrub goes forth the fire which devours the cedars of Lebanon."

He should despair of the future of Ireland if he saw no prospect before her but coercion and restraint. He did not despair, he was full of hope; because he saw close at hand a remedy, not for the external symptoms merely, but for the deeply-rooted source of her disease. He remembered once being told by a great statesman, who had a long and varied experience of public life, and had himself filled the great Office of First Minister of the Crown, that in every Administration of which he had any knowledge—and he believed it to be true of all Administrations—the guiding and controlling force was practically wielded by not more than two or three Members of the Cabinet. Well, looking at the strong men in the present Cabinet, and they could all form their ideas as to who those strong men were—looking at their past record and their achievements, could any reasonable man imagine that those men would be guilty of the weakness and folly—he had almost said, the madness and wickedness—in this grave and supreme crisis, of introducing a measure dealing with the Land Laws of Ireland, which was not a great and a comprehensive measure, and which did not possess, so far as any political arrangement could possess, the elements of permanence? He could not believe it. He was obliged, by his common sense, to accept with confidence the assurance of the Chief Secretary for Ireland that it was the intention of the Government to introduce a measure this Session which would thoroughly reform the Land Laws of Ireland. What was his (Mr. Blennerhassett's) plain duty as a Land Reformer under these circumstances? It was to interpose no unnecessary obstacle between the Government and the fulfilment of their pledge. Obstacles might be interposed which would render impossible the passing of any Land Bill that Session. If that were done, then he said deliberately that those who interposed such obstacles would be directly responsible for the ruin and the loss of the best chance of justice that Ireland had had within the lifetime of any man of this generation. He knew there were hon. Members who thought that this question of coercion was a supreme question, and who felt bound on principle to oppose it under any circumstances and at any sacrifice. He fully admitted that their course in so doing might be patriotic and conscientious; he hoped it would be also wise and prudent. Let hon. Members look at these practical affairs as practical men, and with a view, not merely to the passions of the passing hour, but to the long future which lay before the people of Ireland. Hon. Members might hinder the Land Bill; they could not hinder the Coercion Bill. The general feeling of Parliament and of the country undoubtedly was that there did exist in Ireland a dislocation of society—a paralysis of law, which fully justified the Government in demanding these exceptional powers. It had been abundantly proved that the great majority of this House was determined that these powers should be granted; and it was only a question of a few days, or a few weeks, when this should be done. Those days or weeks could not affect the principle of coercion. The loss of them might destroy—the impatience and resentment aroused by the waste of them might indefinitely postpone—those measures, the result of which he hoped and believed would be, for the future, to entirely remove the necessity for coercive legislation. Let hon. Members vote against this Bill; let them place on record their rooted aversion to its principle; let them exercise the function to which the action of the minority in every deliberative Assembly in the world was confined—the function of protest and of objection; but let them not filch from the Irish people—from the 500,000 tenant farmers of Ireland who were waiting in anxiety and in pain for the assurance of security in their homes—the precious hours which were pledged to their service. For his own part, he could not offer this measure any opposition. He was anxious to see the excitement and alarm which undoubtedly existed in Ireland put an end to, and the guarantees of public safety and order made secure. Poverty and destitution prevailed through the length and breadth of the land, because industry and enterprize were paralyzed by terror and anarchy. He regretted the privations of landowners and the anxieties of farmers; but he felt still more deeply for the misery and suffering of the thousands of unemployed and famishing labourers.

> —— "I wish men to be free,
> As much from mobs as kings—from you as me."

He did not believe that the dignity of any nation could be impaired by taking necessary measures to repress and to terminate those distempers of society which, though they might arise from injustice and a sense of wrong, were in themselves the gravest injustice and the most cruel wrong.

MR. O'DONNELL said, that though he might admire the sentimentality of the hon. Member who had just sat down he could not concede that he was logical. The hon. Member had informed them that he was of opinion that nothing but remedial measures would bring back peace to Ireland; and yet, when no remedial measure was before the House, the hon. Gentleman was willing to allow coercion. He had cut out from two leading organs of public opinion connected with the Ministry passages referring to the probability of remedial measures being carried this Session. One of these organs was *The Daily News*, the legitimate supporter of Her Majesty's Government, and that journal said—

> "If this Coercion Bill of the Government is sure to pass it is by no means so certain that a satisfactory Land Bill will receive the assent of the House of Lords."

The other authority from which he desired to quote was *The Standard*, which, though not on terms of legitimate connection with the Government, notoriously basked in the sweet dalliance of Ministerial endearments. *The Standard* said—

> "It is perfectly certain that any Bill which may contain any absolute proposal for fixity of tenure will not have the slightest chance of becoming law this Session."

These organs of public opinion were not so hopeful as the hon. Member who had just spoken. A measure of coercion for Ireland, a measure to compel the people to respect the ordinary law, or, in other words, to allow evicting landlords to carry out evictions unchecked, was, therefore, extremely dangerous, in view of the probability that no adequate Land Reform would be permitted to pass this Session. Her Majesty's Ministers placed the necessity for coercion on the ground that outrages in Ireland were not the necessary consequences of terrible wrongs operating over a wide area and a large population, but were due to artificial and fictitious causes, such as the Land League agitation; but he denied that there was any foundation for such an argument. It had been said that the Land League meetings were the cause of agrarian crime in Ireland; but it did not by any means follow that the antecedent of a thing was the cause of that thing. He found from the Returns that an increase of the Land League meetings was by no means followed by an increase of agrarian crime. On the contrary, in several counties agrarian crime diminished as the number of Land League meetings increased. He would confine himself to the cases of two Irish counties. In the county of Westmeath, in 1879, only one Land League meeting was held, and the number of agrarian crimes that year was 36; in 1880 the number of Land League meetings rose to 16; but, instead of there being a great increase of agrarian crimes, the number of them was one less than in the year 1879. In county Down 23 Land League meetings were held in 1879, and there were only 10 agrarian crimes; in 1880 the number of Land League meetings fell from 23 to 6, but the number of agrarian crimes rose from 10 to 20. It might please the Government to contend that the holding of Land League meetings was the cause of agrarian crime; but would it not be as just to contend that agrarian crimes were the cause of holding Land League meetings—that in counties where agrarian outrages were being committed Land League meetings were held for the purpose of turning the minds of the people from outrage to Constitutional agitation as the proper mode of remedying their grievances? If a Conservative Government had brought in a Coercion Bill, and had sought to justify that Bill by Returns of this kind, and if a Member of the Conservative Government had risen to say it was clearly proved that Land League meetings had caused agrarian crimes from month to month and from year to year, no less a distinguished orator than the right hon.

Member for Mid Lothian (Mr. Gladstone) would have risen, and, with all that power and eloquence which belonged to him, would have reminded the Government that the Returns they had laid before the House proved, at least, as clearly that the leaders of the people set up a system of public demonstrations for the purpose of diverting the minds of the people from agrarian crime, and of directing them to the sure path of Constitutional agitation. If the Irish people had cast away all faith in English Liberalism, the right hon. Gentleman at the head of the Government could well answer the question, Who had given them bitter cause for losing that faith? If it were admitted by the Liberal Party that the agitation in Ireland was caused by crying wrongs and by intolerable grievances, the proper remedy for that agitation would be, not coercion, but remedial measures. Did the Returns prove that the agrarian crimes in Ireland were due to the factious organization of the Land League, or to a desire on the part of individuals to redress their personal wrongs? He contended that the latter was the fact, and could cite a number of cases from the Returns in support of his view of the matter, which was that agrarian crime in Ireland had followed agrarian wrong. The cause of the illegal conduct of certain Irish tenants was to be found in the deliberate neglect of Her Majesty's Government to give to them the protection they had a legitimate right to claim. The Land League had diminished the number of outrages; and as long as its members continued in their present course, whether openly pursued or in the occult manner into which the Government seemed determined to drive them, they would be able to defy any coercive measures which the Government might see fit to direct against them. The wonder was that the outrages had been so few. With the same grievances in England or any other country in Europe there would have been a wholesale *jacquerie*. He denied that trades unionism, which was among the recognized forces in England, had done anything for the protection of the workmen beyond what was proposed to be done by the Land League for the protection of Irish tenants. He further denied the assertion, so freely made in the face of the facts, that trades unionists had not resorted to the commission of outrage for the purpose of securing the objects for which their Associations had been established. Then, with regard to the Corn Law League, notwithstanding the statements that had been made on the subject from the Treasury Bench, he challenged denial of the fact that the leaders of that League had been accused of inciting to crime in their day, just as leaders of the Land League had been accused of inciting to crime in the present day. The Land League had been discredited by the acts of unworthy members, just as had the trades unions and the Corn Law League in times gone by. He trusted that no efforts would be made to injure the cause of Land Reform in Ireland by laying to the charge of the Irish Members ulterior motives in what they had done. The Irish Members might or might not consider that forced and reluctant extortion of Land Law Reform would be a powerful argument against the continued rule of Imperialism in Ireland; but if Her Majesty's Ministers wished to weaken that argument in the mouth of the hon. Member for Cork, or any of his Colleagues, the only way it could be done was to show that Reform was not extorted from Parliament, but granted. The Government were assisting the cause of the Irish Separatists when they insisted upon framing coercive measures when remedial measures were required. As matters now stood, the Government could not be honest in their demand for the submission to ordinary law in Ireland. They did not, he believed, wish the Irish tenantry to submit to that law. They even trusted that the landlords would not attempt to carry out that law; and if the landlords made use of their brief term of grace to do so, he was convinced that the sympathies of nine-tenths of the Liberal Party would be with the rebel tenant who resisted, at any cost, every attempt to level his roof over his head, and to steal his property out of his pocket during the supremacy of the ordinary law. The Government proposed that this Bill should extend over 1882. Was the Government aware of what centenary 1882 was? It would be the centenary of the Revolution which emancipated Ireland 100 years ago from the yoke of British rule. It would remind the Irish people of the days of the Volunteers, and drive deeper into every

Irish heart the conviction that never again would Ireland be free and happy until she had reversed the work of 100 years ago.

MR. BUTT wished that the hon. Member who had just sat down had given them a little more of the reality and a little less of the jargon of logic. It was hard to see the logical connection between the hon. Member's argument as to the Land Bill and the measure immediately before the House. The case of the Government in support of their Bill was that in Ireland the law of the land was powerless, and that another law was set up in its stead—namely, the law of the Land League. If that were not so, there was no ground for the Bill; if it were so, then it was idle to speak of the effect of bringing in a Land Bill. The first duty of the Government was, in that case, to restore and assert the supremacy of the law. He thought many hon. Members would agree with him in protesting against the notion that speeches delivered in the earlier part of the debate by Members below the Gangway on the Liberal side, and which contained little or nothing but condemnation of the Government, and little but approval of the Land League and its leaders, were approved by a large section of the Liberal Party. The question they had to decide was mainly one of evidence. Was there evidence that a state of things existed which called for some measure of repression? It was in itself a considerable fact that the Ministers of the Crown assured Parliament that it was so. That was met by Irish Members asking them to believe that the two Ministers mainly responsible—the Prime Minister and the Chief Secretary for Ireland—were turning traitors to all the traditions of their past career, and for the mere love of coercion, despotism, and tyranny were proposing a measure of coercion which was wholly unnecessary. That was a strong proposition, considering what were the antecedents of those Ministers. They were the two Ministers who must have been most disinclined to propose coercion if they could avoid it, seeing that they were mainly responsible for the non-renewal of the Peace Preservation Act last Session, which the Leader of the Opposition warned them was a serious mistake. Their mortification in having now to ask for measures of coercion should entitle their statements to the greatest weight. With regard to agrarian outrages, they had been excused on various grounds; and the hon. and learned Member for Dundalk (Mr. Charles Russell) seemed to think that there were numerous village Hampdens in Ireland. But the village Hampden, as he was known in England, could not be recognized in the gentleman who stood behind a hedge and took a pot shot at his landlord and then ran away. How were some of the outrages on cattle met by hon. Members? It was suggested, forsooth! that sheep had fallen over cliffs and had deliberately gone into drains to commit suicide. He recollected a case of sheep-stealing, where it was said the sheep had had its throat cut, and the counsel for the defence was arguing that, as there was a five-barred gate in the field and the iron hinge was broken, it was quite possible the sheep might have cut its own throat against the broken hinge; but the Judge interrupted him, and said—

> "I can understand the possibility of the sheep cutting its throat on the iron hinge, I can even understand how the sheep might commit suicide; but I cannot understand how he came to skin himself and hang himself up in the prisoner's back yard."

He commended that story to the attention of the hon. Member for Northampton and the hon. Member for Wicklow. A sort of excuse had been put forward for the houghing of cattle. It was said that it was a traditional crime, a custom of the country in Ireland, and that it originated in this way. Some of the better lands adapted for grazing were cleared of their tenants, and sheep and cattle replaced them; and it was asked—Was it not natural that the peasantry should look on sheep and cattle as their enemies? He had heard no such cruel insinuation against the Irish peasantry as this suggestion, which came from Irish Members, and which would place them so low in the scale of rational beings as to be incapable of distinguishing between those who placed the cattle there and the wretched creatures they were accustomed to maim and to kill. He should vote for the second reading of this Bill, because he believed they were in presence of a crisis which demanded the support of every loyal subject of the Queen of such measures as Government deemed necessary for the maintenance of peace and the restoration of law and order in Ireland. While voting for the Bill he entertained a fervent hope and firm belief that a large remedial measure would follow quickly on the footsteps of coercion. He believed there were wrongs under which the people of Ireland suffered. He sympathized with the people; but not with the men by whom they were betrayed into acts of outrage and crime. As for the Land League, he could conceive no better object of attack by such a measure as that proposed. There was little difference between the advice of its leaders to pay no rent or to pay no unjust rent. If the tenant was to be himself the judge, the people might as well have been told at once to pay no rent at all. The leaders of the Land League advised the people not only to pay no rent, but to persuade their neighbours to pay none, and even to coerce and threaten them. That, as the right hon. Gentleman the Chancellor of the Duchy of Lancaster said, was a sad way to commence reforming the Irish peasantry, teaching them to behave dishonestly and in breach of good faith. The Land League had had a certain measure of success in its operations, and it never could have had that measure of success if there had not been deep down in the heart of the people a sense of injustice. It was upon a basis of that kind that the Land League had been raised; but it was from the reign of terror which had been created that its power was really derived. The threatening letter, the midnight visit, the incendiary fire, if need be murder, these were its ministers; it was on these mainly, if not on these alone, that it relied. If he understood hon. Members aright, they rather gloried in the fact that the Land League had superseded the law of the land. He did not understand them to deny that under its auspices Courts had assembled aping the authority of the Queen's Courts, and had visited with punishment those who were honest enough to pay their rents. Hundreds and thousands of tenant farmers were willing to pay if the dark shadow of that organization had not been thrown across their path, and a voice they could only disobey at the peril of outrage to themselves, their families, and their property had not dared them to be honest. He would be told that the leaders of the Land League had not counselled, but had reprobated these things. He would like to know when that reprobation began and what was its nature. When in the course of the agitation had there been an honest, manly, indignant denunciation on the part of the Land League of the crimes committed in its name? Day by day in the early months of the autumn he had read in the public papers outspoken incitements to murder and outrage uttered at Land League meetings in the presence of leaders of the League, and he looked to see if there was any manly horror expressed at these outrages; but he looked in vain. The hon. Member for Cork City (Mr. Parnell) made a speech at Ennis, in which he said, as reported in *The Times*—

> "Now, what are you to do to a tenant who takes a farm from which another tenant has been evicted?"

It was said that the word "unjustly" should have been inserted before "evicted;" but the Prime Minister had dealt with that. For his purpose it was immaterial. In answer to the hon. Member's question several voices cried out, "Shoot him." What was the reprobation of the hon. Member for Cork City? Did he turn on the cowardly ruffians and express his horror and detestation and loathing at such a mode of redressing a political or social grievance? Not at all. The anger and indignation of the hon. Member was reserved for the contemplated victims of murder and outrage, and he had not a word of reproof for the wretches who suggested it. The hon. and learned Gentleman then quoted the well-known passage in which the hon. Member for Cork City said he would point out to them a much better and more Christian way—namely, to shun him on the roadside, in the shop, on the fair green, in the market place, and even in the place of worship. The Chief Secretary had justly said of that plan that, short of murder, it was the most cruel that man could conceive. [*A laugh.*] Hon. Members might laugh; but their notions of what was Christian and his were not the same. In another speech at Cork on the 3rd of October the hon. Gentleman said that when people uttered such weak and puling sentimentality about the suffering inflicted upon the lower animals, and when so much was heard of an occasional resort to the wild justice of revenge, he was entitled to point out that for the lives of one or two landlords that had been taken the lives of 25,000 people had been extinguished. ["Hear, hear!"] Hon. Gentlemen opposite cheered that statement; but he ventured to say that, considering the excited state of Ireland at the time those words were used, it sounded painfully like a suggestion that murder was justified by the sufferings which the people had gone through. He did not believe that the hon. Member for Cork City meant to suggest violence. He did not believe the hon. Member imagined his words would have a fatal effect; but when they were told that the Land League leaders reprobated crime, he thought it could not be conceded that they ought to get credit for anything of the kind. On the 11th of October, in *The Times*, there was a speech delivered by the hon. Member for Cavan (Mr. Biggar) at a Land League meeting on the previous day. "Suppose," said the Member for Cavan, "a tenant is evicted, you must take means to have him put in possession again." Then the hon. Member for Cavan pointed out what would happen to the man who took the farm from which a tenant was evicted. They need not injure the man or his cattle; but "they could take care that his cattle would stray out of the land. His fences would fall down, you know." Was that reprobation of outrage and crime? He would not say that in his view it was an encouragement to crime; but he would say it was a pity that hon. Members opposite had not used in Ireland some of the vigorous language they reserved for that House. It was said that there was a conspiracy on the part of the English Press and the English people to traduce and libel the people of Ireland. Nothing could be more untrue. He listened with impatience to these complaints of Irish Members.

"Quis tulerit Gracchos de seditione querentes."

There never was a time when the people of England were so anxious to apply remedial measures to the ills of Ireland; and the reason the House was not now engaged in considering measures of that nature was because the so-called friends of Ireland had come down and carried opposition to this Bill to the verge of decency and propriety, thereby preventing the Government from introducing the Bill relating to the Land Question which they had pledged themselves to bring forward.

MR. MACNAGHTEN said, it was his misfortune that he made his first appearance in that House on behalf of a measure which, whatever its proper description or primary object, coercion or protection, was a disgrace and a reproach to Ireland and to England. He should have preferred giving a silent vote; but it was because he was an Irishman and an Irish Member, representing a constituency second to none in Ulster in wealth and intelligence, and to none in the United Kingdom in love of order and respect for the law, that he felt bound to place his views before the House. He believed it was the general wish in Ulster—he knew it was the universal wish of the people of Antrim—whether Liberals or Conservatives, landlords, or tenant farmers, or men employed in business, that this Bill should pass, and pass without delay. It was not that the Ulster people liked coercion—they disliked nothing more. It was not that they disregarded the Constitutional rights of the Irish people; but they were a hard-headed, practical set of men, of whom he was proud to be one, and they took a common-sense view of this matter. They wanted liberty, not as a theme for eloquent declamation over the wrongs of their country, most of them dead and buried these 50 years, but for ordinary, everyday use in the daily business and intercourse of life. They thought it better that the Constitutional rights of a portion of the Irish people should be suspended for a while, that honest men might go about their business, free to contract obligations, and free to discharge those they had contracted, than that men should live under a reign of terror, which made itself felt among all classes of people by day and by night. These were the views of his constituents, no inconsiderable portion of the Irish people, let him tell those hon. Members who were always assuming to speak on behalf and in the name of the Irish people, who thought they should be heard for their much speaking — and whom hon. Members opposite accepted as the delegates and plenipotentiaries of the people of Ireland, though they had never yet persuaded half of the Irish Members to follow them into the Lobby. He should give an unflinching support to Her Majesty's Ministers; he would not, therefore, trouble the House with many more words, as the subject had been so fully dealt with already. It was no time for argument. The Queen's Judges in Ireland had told them that the ordinary law was powerless, and they knew that that was true. Returns had been laid upon the Table to show the exceptional state of the country; and all that could be done on the other side was to enter into minute criticisms on the way in which those Returns had been calculated, and into particular cases. The Chief Secretary, he regretted to say, had condescended to follow that method of dealing with the question, and had shown that whichever way the Returns were calculated they came to the same thing. It was hardly worth while to do so. The hon. and learned Member for Meath (Mr. A. M. Sullivan), who closed the debate on Friday night, and who was always listened to with respect, did not trouble himself with such petty details. He discussed the Star Chamber and other matters of historic interest. He said that the Chief Secretary was a good and well-meaning man as long as he stayed in England; but that when he went over to Ireland he fell into the toils of the Castle officials and came back an altered person, and converted his Colleagues. And the hon. and learned Member asserted that the Ministers were deluded by fabricated outrages. How could they deal with an assertion like that? They could only smile, for no one seriously believed it. [*Cries of* "Oh, yes!"] No one could believe it except those who believed that the person who was the other day re-committed to prison, and, as he thought, very properly, was, in the words of the Manifesto which they had all read, a counsellor of tolerance, restraint, and prudence. They had all read his inflammatory harangues, and yet he was held up as a counsellor of tolerance and restraint. If any proof were wanted that the Government was pursuing the right course in bringing forward this measure, it would be found in the singular lull and absence of outrage since Parliament had met. That lull could not be due to the departure of the leaders of the Land League from Ireland, for they declared that they had persistently set their faces against outrages, and had endeavoured to prevent them. It was due to the determined attitude of the Government — to the shadow of coming legislation. He had lately been reading the Charge of Mr. Justice Lawson, who was formerly a highly-respected Member of that House, and Attorney General for Ireland. In his Charge to the Grand Jury of Antrim at the late Winter Assizes Mr. Justice Lawson described the state of things which was spreading from other parts of Ireland into Ulster, and under which even the Judges and officers of the law were sought to be intimidated, and a new law set up, to the exclusion of that of the Queen. The people of England, he said, were slow to move. They thought so in Ulster during the long months when Parliament was not sitting, and when this agitation was slowly creeping up to their doors, and the Intelligence Department of the Land League—with wonderful sagacity and unerring instinct—was marking out the places in Ulster most suitable for attack—places where discontent and disaffection might be found—that there they might establish their branches, and sow the seed of disorder, class-hatred, disloyalty, and dishonesty. During those months of inactivity many hard thoughts of England and of the Government prevailed in Ulster. They thought that when the law was notoriously helpless it was hardly necessary to make it supremely ridiculous by a State prosecution, with a foregone and foreknown conclusion. They thought that the demoralization even of one Province in Ireland was a high price to pay for the temporary cohesion of the Liberal Party; but, as Mr. Justice Lawson added—

> "There slumbered in the arm of England a giant's strength, which could, in a short time, put an end to the proceedings of that disgraceful conspiracy against law and order in Ireland."

That time had now come; and the people of England, and with them all those in Ireland who loved law and order, demanded the passing of this measure. When this Bill was passed, law and order, he believed, would speedily be restored. He did not think there would be many arrests. There would be a flutter and an exodus and an emigration. Some citizens of a Transatlantic Republic would revisit the land of their adoption. Some of our own people, whose presence could well be dispensed with, would leave our shores; but there would be few arrests. Should it be otherwise, he, for one, preferred the liberty of the many to the licence of the few. He would rather see 50 or 100 rogues closed up within stone walls, than that 153 honest men who had committed no wrong, who had done nothing to disentitle them to the protection of the law, should walk about in a living prison, guarded and walled in by police-constables, in order to save their lives and persons from outrage and violence, and that in a country which called itself civilized.

SIR GEORGE CAMPBELL moved the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Sir George Campbell.*)

MR. W. E. FORSTER expressed a hope that the Motion would not be pressed at that early hour (12 o'clock).

MR. SPEAKER: Does the hon. Gentleman desire to withdraw the Motion?

SIR GEORGE CAMPBELL: May I be allowed to speak upon the question of adjournment? ["No!"] Then I will withdraw the Motion?

Motion, by leave, *withdrawn.*

Question again proposed, "That the word 'now' stand part of the Question."

SIR GEORGE CAMPBELL remarked that during the various discussions which had taken place upon the question before the House up to the present time, he had thought that, in the public interests, the best contribution he could make to the debate was silence. But now that the question had come to be debated upon the second reading, he felt unable either to vote or to abstain from voting without giving some explanation of the course which he intended to take. His whole position was a very peculiar one—as peculiar as that which was occupied by the noble Lord the Member for Woodstock (Lord Randolph Churchill). The Royal Speech from the Throne declared that it was necessary to intrust greater powers to Her Majesty's Government, and to reform the laws regarding the land of Ireland. In the debate which followed upon the Address in Answer to that Speech he had cordially and heartily supported Her Majesty's Government, because he was decidedly of opinion that additional powers were required; but when it came to a question whether a Coercion Bill should altogether precede the Land Bill he confessed that he had considerable doubts on the subject. Personally, he should have preferred that measures for the repression of crime and remedial measures in regard to the tenure of land should go hand in hand together. As regarded the particular Bill now before the House, and looking to the peculiarity of its character, he confessed that he entertained considerable doubts about it. But, in present circumstances, he might have been prepared to accept almost any measure from Her Majesty's Government which they deemed necessary for the maintenance of law and order, if he had also an assurance that a Land Bill would immediately be passed. He had no doubt that it was the intention of the Government to introduce a Land Bill. What he did doubt was whether it would be in the power of the Government to pass a Bill in the way they expected; and for this reason—If the Land Bill of the Government was a weak Bill it certainly would not satisfy the people of Ireland; and the situation, instead of being improved, would be rendered still worse. On the other hand, if the Government brought in a strong Bill, then he thought the great Conservative Party, notwithstanding the aid they were giving to Her Majesty's Government in passing a strong measure of coercion, and the suspiciously zealous support they were now giving to the present Bill, would probably turn round and not hesitate to have recourse to the obstruction which they had lately so energetically denounced. Nor was it improbable, when the Land Bill came on for discussion, that it might arouse the opposition of that powerful Whig element of which so much was heard last year when the Bill regarding Compensation for Disturbance was before the House last Session. In considering the question he could not but call to mind the fate of that Disturbance Bill. He remembered that it was strongly opposed in the House of Commons by the Conservative Party and by the Whig element. It was carried nevertheless; but what was its fate when it went up to "another place?" He could not help fearing that the Bill for remedial measures, which was to follow upon the measure for coercion, might not improbably share the same fate. It must not be forgotten that the Conservative Party were under the guidance of a great tactician, and it was not impossible that the tactics of that great political general might be these—He knew that a strong opposition might be maintained against the Government Land Bill; that if the Bill passed in the House of Commons it might be thrown out in the House of Lords, and that then a Dissolution of Parliament might be forced on the Government, because it would not be possible to abolish the House of Lords without, in the first instance, appealing to the country. If a Dissolution were brought about the people of England would, he hoped, be set up against the people of Ireland, and there would necessarily be much heat and excitement in consequence of which the Conservatives might in this view possibly obtain a new lease of power; and, in that event, it was possible that no Land Bill would pass after all. These were some of the reasons why he felt inclined to doubt the expediency of bringing in a Coercion Bill so completely ahead and so much apart from a Land Bill. He was anxious next to say a word as to the character of the measure which Her Majesty's Government had submitted to the House and the country. He had examined that Bill very carefully; he had compared it with the Coercion Bills which had preceded it; and he was bound to say that it seemed to him to be a stronger, wider, and a more coercive measure than almost any Bill that had hitherto been submitted to Parliament. Hardly any other Bill introduced in recent years would bear any comparison with it. It was infinitely wider and more stringent in its provision. There was one measure which, in some respects, was parallel with it—namely, the Westmeath Bill. But the Westmeath Bill was confined to a comparatively small area; and, even in that small area, its provisions affected a limited number of persons—namely, the Ribbonmen. It was by no means so wide as the present measure, the provisions of which were to be applied, not only to all persons actually committing crimes, but to any person who was suspected of inciting to a breach of law and order. It was a tremendously wide and stringent Bill. The nearest approach to it was the Coercion Bill passed in the year 1833 by the Government of Lord Grey. It was, he thought, much to be regretted that, whenever a Liberal Government came into power with large Liberal majorities, that it made its first mark by introducing a very strong Bill for the coercion of the Irish people. He had lately been reading the life of a distinguished relative of his own—the late Lord Campbell—and he found that the first duty he had to discharge, when he was Attorney General and Chief Law Officer of the Crown, was to assist in preparing and conducting the Irish Coercion Bill of Lord Grey's Government. Lord Campbell described how he undertook the task with extreme dislike and even loathing. Nevertheless, on comparing the Bill of 1833 with the one now proposed by Her Majesty's Government, it would be found that there were some respects in which the former was a less coercive measure than the present one. Dublin was exempted from the operations of Lord Grey's Bill. One very important fact was that the Bill of 1833 was not retrospective. It was brought in to put a stop to infinitely larger and greater disorder than now existed, and to infinitely greater crimes; but it was accompanied by an announcement of remedial measures. Instead of being brought in without a proposal for remedying the existing grievances, there was a distinct announcement of the measure which the Government intended to introduce for the abolition of the obnoxious tithe system, which, at that time, was the cause of much of the disturbance and discontent. And not only was the Bill of 1833 not retrospective, but it was provided that no man could be kept in prison for more than three months without being brought to trial. No doubt, there was in that Bill a provision of a very startling nature, because it provided that any man who was brought to trial within the three months might be tried by court martial. No man had a greater horror than he had of trial of civilians by court martial. But he felt bound to say that there was one thing worse than trial by court martial, and that no trial at all. Under the Bill of 1833, it was necessary, after a man had been tried by court martial and convicted, that the sentence should be confirmed by the Lord Lieutenant. By the present Bill, the arrested person was not to be tried at all, but simply to be confined in prison by the order of the Lord Lieutenant. Then, again, there was one part of the present Bill, which had been put in by way of safeguard, with regard to which he entertained very considerable doubt. It was provided that a list of all persons in custody should be laid on the Table at the beginning of every month. With regard to that provision, there was one question he wished to ask. Was that list to be submitted to Parliament, in order that it might be made the subject of discussion and revision by the House of Commons? If it was not to be the subject of discussion by the House, it would be a farce to submit it; if, on the other hand, it was to be subjected to the discussion of the House, and hon. Gentlemen opposite (the Home Rule Members) were to be allowed to discuss every case submitted, he felt bound to say that the remedy would be worse than the disease, for the whole of the legislative work of Parliament would be inevitably stopped and rendered impossible while the discussion of these cases was being carried on. Therefore, he was of opinion that the measure of 1833, stringent as it was, was a measure preferable, on the whole, to the Bill now submitted to the House by Her Majesty's Government. Another great objection which he entertained to the Bill was that it did not provide a permanent settlement of the Irish Question. Look at the history of the last 50 or 80 years of the present century. What did they find? Why, that one-half of the time of Parliament had been taken up in considering and passing successive Bills for the coercion of the Irish people. And they were usually Coercion Bills brought in by Liberal Administrations. He was compelled to say that such a condition of things was not good for Ireland; nor was it good for Great Britain. He confessed that he was one of those who thought that the people of Ireland were not fitted for the same amount of liberty which the people of this country enjoyed. At all events, they were not fit to enjoy the same form of liberty which we possessed. It was unfortunate that there should be any attempt to give excessive freedom to Ireland at one time and too little at another. We were continually taking away its freedom, and there was too much tendency in the policy of England towards Ireland to oscillate between excess of freedom, and an entire absence of freedom, brought about by excessive coercion. The history of the last half century, so far as Ireland was concerned, presented a white ground with continual black patches over it, occasioned by the constant oscillation between extreme freedom and extreme coercion. It was impossible, in his opinion, to establish a worse system for the interests and well-being of a people, than a continual oscillation between excess of liberty and no liberty at all. He would not say that the people of Ireland were unfitted for freedom and liberty; but there were peculiarities connected with them which rendered them only fit for partial liberty and freedom; and it was much to be lamented that, instead of modelling their institutions so as to leave them in the enjoyment of the liberty which was best suited to them, we gave them excessive liberty at one moment, and then found ourselves compelled to introduce a strong Coercion Bill the next. He was not so sanguine as to hope that even if Parliament passed a satisfactory Land Bill they would convert Ireland into a Paradise. Having regard to the experience of the past, he was not so sanguine as to hope that at one blow any remedial measure would make Ireland wholly contented. There would be people who would still be discontented and dissatisfied; and it would be found necessary, he was afraid, to bring in more Coercion Bills. Under present circumstances, his belief was that the matter was not so urgent as had been supposed, and that crime in Ireland was not more prevalent than it had been in other years. For instance, it was by no means so prevalent as it was in 1833, or in 1846, 1847, or 1849. So far as the total number of serious outrages in Ireland were concerned, he found that the state of country in 1833 was 50 times worse than it was now, and not only so, but that there were four times as many outrages committed in 1846; four times as many in 1847; and three times as many in 1849. There existed a far larger amount of disaffection in those years, and there were more murders and crimes of an atrocious character. These were reasons why, he thought, the House should take a little more time before they proceeded to pass the present Bill; and in that time they might be able to pass a remedial measure of a permanent character, which would do away with all necessity for coercion. They ought to take away some of the excess of freedom which was conferred upon Ireland, but which was not good for the country; and then there would be no necessity for introducing Coercion Bills from time to time, which took away freedom altogether. The House had now taken measures which had effectually cut the claws of Obstruction. The Resolution arrived at the other night would make it impossible that anything like unreasonable Obstruction would be attempted in future. He, therefore, thought that it was not only possible, but expedient, to devote a little more time to the careful consideration of this question; and when they had done so they would be able to pass a measure which would not be so extreme in its character, and by no means, if he might so speak of it, as crude as the present Bill. Instead of being merely temporary, the measures they would be able to pass might be made permanent, and could be made to have a more lasting effect in regard to the administration of justice in Ireland. He spoke with some experience when he deprecated the present system of trial by jury in Ireland. He had had wide experience in connection with the administration of justice in a country where the population were of different races; and that experience convinced him that it was a system totally unfitted for such a country as Ireland; in which there existed differences both in regard to race and in regard to religious and many class hatreds. Trial by jury, as it existed in England, was a very good thing for a homogeneous people; but where there were differences of race and of class, he was of opinion that trial by jury was incompatible with good government, and with the regular administration of justice, especially when it was accompanied by that monstrous superstition which required a jury of twelve men to bring in a unanimous verdict. It was impossible to work such a system with success in such a country as Ireland. He admitted that in England, where the system was indigenous, trial by jury, with a unanimous jury, did work in a sort of a way; but it would be impossible to make such a system work either in Scotland or France, or in almost any other country, and he believed that it was impossible to make it work well in Ireland. His view was, that if they were to retain the jury system, they ought, at all events, to get rid of the unanimity now enforced, and have the verdict of a majority—say of nine to three, or something of that kind.

Mr. SPEAKER: I must call the attention of the hon. Member to the fact that the jury system is not the Question before the House.

Sir GEORGE CAMPBELL would apologize to the Chair for having transgressed the Rules of Order, and he would not continue in the same line of argument. By way of excuse, he would submit to the Chair that his argument was that a better Bill might be brought in by Her Majesty's Government than the one now under consideration, in which the jury system might be modified. He believed that the right hon. Gentleman the Chief Secretary to the Lord Lieutenant, in his speech the other night, alluded to the difficulty in obtaining a verdict. His (Sir George Campbell's) view was that, although it might not be possible to deal completely with the Irish jury system at the present moment, it might be possible to introduce a system of summary trial, which would be very much better than the system of no trial at all. He did not suggest a return to summary trials by court martial as in 1833; but summary trials by two or three competent men, neither unpaid magistrates nor captains, but men who might even be sent over from England to assist in conducting the administration of justice. Indeed, he thought they might profitably borrow something from the Scotch system, under which the whole administration of justice was placed in the hands of competent judicial officers, regularly appointed and trained for the duty. Again, he would go a step further, and say that he thought such provisions might be introduced into the Bill that it might be possible to arrest and judicially to detain a man against whom, although suspicion existed, there was not sufficient evidence to obtain a conviction in the ordinary form. He was aware that at times it was extremely difficult to obtain that amount of evidence in Ireland; and in India, under the new code of procedure, prepared by most competent men, when proof amounting to strong suspicion only was forthcoming, it was then competent to a proper tribunal to confine the accused for a certain period, under a judicial decision that strong suspicion existed, the evidence being placed on record. That course he strongly recommended to Her Majesty's Government as being, in his opinion, infinitely better than the provision of the Bill before the House. He thought it undesirable that a man should be imprisoned for 18 months without any means of ascertaining that the nature of the evidence or suspicion on which he was confined was well founded or not. Having had constant experience of the working of police and intercourse with police, who found themselves unable to deal with crime, he would say that whatever might be the merits of the Irish police, they were, in his opinion, extremely inefficient in the detection of crime. Policemen so situated were constantly saying that they knew the offenders, but that there were difficulties in the way, and they could not get evidence. The proposed system seemed to him vexatious and irritating, and likely to introduce a sense of injustice amongst the people of Ireland. His view was, that in case the Bill, after being read a second time, was referred to a Select Committee, it should be an Instruction to the Committee to limit the term of imprisonment to three months, and make provision for a summary trial. He confessed, with the noble Lord the Member for Woodstock (Lord Randolph Churchill) that he should vote for the Bill with considerable distrust; but, on the whole, in view of the large majority which supported it in the previous stage, and the promise of the Prime Minister that the Land Bill would soon be forthcoming, he deemed himself justified in voting for the second reading.

Motion made and Question proposed, "That the Debate be now adjourned." —(*Mr. Schreiber.*)

Motion *agreed to.*

Debate *further adjourned* till *Tomorrow.*

House adjourned at half after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, 8*th February*, 1881.

MINUTES.]—Public Bills—*Second Reading*— Limitation of Actions (5); Settled Land * (6); Conveyancing and Law of Property * (7); Solicitors' Remuneration * (8).
Select Committee — Rivers Conservancy and Floods Prevention * (15), *nominated.*

TUNIS—THE ENFIDA CASE.

QUESTION.

Earl DE LA WARR asked the Secretary of State for Foreign Affairs, Whether the attention of Her Majesty's Government has been called to the recent case at Tunis affecting the right of property of a British subject; and, whether the Correspondence and Papers relating thereto can be laid upon the Table of the House?

Earl GRANVILLE: My Lords, a dispute has arisen between a British subject resident at Tunis and a French Company, with regard to the purchase and right of pre-emption of a very considerable estate called the Enfida. There have been communications between the two Governments, as there were complaints of Consular interference. Both Governments agree that it is a matter in which political influence ought not to be used. At the end of last week the French Government informed me that they had sent orders to their Representative at Tunis not to intervene. I had already anticipated this step by directing our Consul General not to take any step without orders from home. As both Governments are animated by a conciliatory spirit, and both are agreed as to the general principle on which the matter should be treated, there ought to be no difficulty as to their common co-operation regarding it. Communications were still going on.

SOUTH AFRICA — THE TRANSVAAL (MILITARY OPERATIONS)—THE TELEGRAMS.

QUESTIONS.

Earl CADOGAN asked the Secretary of State for the Colonies, Whether Her Majesty's Government had that day received any additional news from the Transvaal?

The Earl of KIMBERLEY: The following telegram has been received to-day:—

"From the General Officer Commanding Natal and Transvaal to the Secretary of State for War—

"February 7.

"All quiet in front. Post between here and Newcastle stopped to-day by strong Boer patrol. Reinforcements marching up, but weather very unfavourable. Death since last return—58th Regiment, T. FitzHarris."

The Earl of SHAFTESBURY asked the Secretary of State for the Colonies, Whether he had received any further information, confirmatory or otherwise, on the subject of the following telegram from Sir Hercules Robinson, which appeared in *The Times* of that morning:—

> "Our loss heavy, in consequence of treacherous conduct of Boers, who, after hoisting the white flag, fired upon our men on two occasions when they left cover. Colonel Gildea and orderly, both bearing white flags, were fired upon when within 60 yards of laager; both escaped. This is the third time that treacherous use has been made of white flag."

He wished to know whether it was true?

THE EARL OF KIMBERLEY: There have been statements in the newspapers to the effect mentioned in the telegram read by the noble Earl; but I have not the means of knowing precisely what has occurred, and until I am aware exactly of what has taken place I should not like to state the course which we should feel it our duty to pursue. Such statements, however, have reached Her Majesty's Government.

SOUTH AFRICA—THE TRANSVAAL—INSURRECTION OF THE BOERS—THE MURDER OF CAPTAIN ELLIOT.

QUESTION. OBSERVATIONS.

THE EARL OF ANNESLEY asked the Secretary of State for the Colonies, What steps Her Majesty's Government intend to take in consequence of the wanton and cowardly murder of Captain Elliot, a British officer, by a party of Boers, he being at the time unarmed and a prisoner of war on parole? He would not go into the details of the affair, as they had been already related by Captain Lambart, the surviving officer, in a letter which had been published in the newspapers. That letter, wherever the English language was spoken, would be read with a feeling of horror and of pity for the unfortunate officer; and in his (the Earl of Annesley's) opinion, there could be but one answer to the conduct of the perpetrators of the murder—namely, condign punishment. If, at the end of the war, it was found impossible to punish the perpetrators, the people of this country would not be satisfied unless a heavy and adequate indemnity were demanded of the Boers of the Transvaal. It was for the purpose of eliciting the opinion of Her Majesty's Government on the subject that he had put the Question on the Paper. He would ask a similar Question with reference to some statements which had appeared in the morning papers as to other alleged atrocities by the Boers. According to the statements, not only had outrage been committed, but an insult had intentionally been put upon this country and our gallant soldiers, for it appeared in a letter from one of the survivors of the detachment overpowered on the first occasion in this contest, that they were ordered by the Commandant to Heidelberg; and that in the course of the journey they were driven like cattle, the Boers having cracked their whips over the heads of the British soldiers. He trusted Her Majesty's Government would issue stringent orders to the officers commanding our troops in South Africa to take whatever notice they thought desirable with regard to such insults and outrages.

THE EARL OF KIMBERLEY: My Lords, with regard to the Question of which the noble Earl gave Notice, I need hardly say that the facts as reported would indicate that a brutal and cowardly murder was committed; but, in the present state of affairs, I am not aware that we have any power to take any steps in addition to those taken some time since by Sir George Colley, which have been already made known in a communication through the newspapers, it being dated as far back as the 28th of January. In it Sir George Colley states that he sent a copy of Captain Lambart's statement as to the alleged murder of Captain Elliot to Joubert, the Commander of the Boers, and that the latter expressed horror of the act, and threatened punishment on the offenders. Intelligence of the result has not yet been received. I am sorry to say that we are not in a position to take any further steps; but I think that the fact that the Boer Commander has expressed his horror at the act is, for the present, a satisfactory indication that they are prepared to do what every just and reasonable person would expect. With regard to the other acts referred to by the noble Earl, I have no information except that of which he himself is in possession. Your Lordships must be aware that when a war breaks out, and especially a war of this kind, many acts are, unfortunately, often committed which we most deeply deplore; and I am afraid that this war is not going to prove an exception to the general rule. The steps that we are taking to defend ourselves and assert the Queen's authority are certainly the only steps that are open to us to dispense punishment or exact redress for any acts that may be complained of. I rather deprecate our accepting as correct, before they are sifted, all those statements which we receive, because, in the excitement which prevails, persons of the most perfect fairness and sincerity are apt to exaggerate somewhat what has really occurred. I am not saying that any of those particular facts which have been recently reported are untrue; but, as a general principle, I think it would be well we should exercise a general caution, and that we should have before us the most authentic information before we pass final judgment on what has taken place. Our desire is, as has already been stated in Parliament, that in carrying on this war our troops should observe the rules of civilized warfare, and we have the right to expect that our opponents will do the same. Those rules are well known, and I trust the Boers will observe them; but, undoubtedly, if those rules are transgressed and crimes committed which are inexcusable, and for which we can bring the perpetrators to justice, Her Majesty's Government will not be backward in doing so.

LIMITATION OF ACTIONS BILL [H.L.]

(*The Earl Cairns.*)

(NO. 5.) SECOND READING.

Order of the Day for the Second Reading, read.

EARL CAIRNS, in moving that the Bill be now read a second time, said, he had a few words to say in respect of it and of the Settled Land Bill, the Conveyancing and Law of Property Bill, and the Solicitors' Remuneration Bill, which also stood on the Paper in his name for second reading that evening. When introducing those four Bills in the early part of last year he explained very fully their various provisions; but he might, however, again state that the Bill under notice proposed to reduce the time within which actions might be brought on ordinary civil contract debts from six years to three, and on speciality debts from 12 years to 20. They had now been 12 months before the public; they had been very much discussed; and he thought he was not wrong in saying that, with only one exception, that of the Settled Land Bill, their provisions had met with anything but disapproval. Regarding the Settled Land Bill, he knew there were many persons who thought legislation on the subject ought to be of a more extended and wider character than that proposed by the Bill. But those who took that view admitted, he thought, that so far as the Bill went it had their approval, and that it would be a great improvement on the present law. On the other hand, there was nothing whatever in the Bill which would prevent anyone who thought further legislation desirable from proposing such legislation; and he was satisfied that it would be impossible to exaggerate the benefit which would arise from these Bills if they became law in the present Session. Now, he did not ask Her Majesty's Government to displace any of their own measures in favour of his; but he did ask them, if their Lordships should think it right to pass them, to give their assistance in passing those Bills through the other House, and he made that appeal more hopefully because his noble and learned Friend on the Woolsack had expressed his approval of those Bills. He would conclude by moving the second reading.

Moved, "That the Bill be now read 2ª."—(*The Earl Cairns.*)

THE LORD CHANCELLOR said, that, in his opinion, the Limitation of Actions Bill and the Solicitors' Remuneration Bill stood on a different footing from the two other Bills of his noble and learned Friend; and he had no reason to suppose that the Government would be unwilling to lend their assistance in passing them. But the provisions of his noble and learned Friend's other two Bills, the Settled Land Bill and the Conveyancing and Law of Property Bill, might require to be materially modified if any comprehensive measures dealing with the subject of land transfer and the modification of the Law of Settlement were brought under the notice of Parliament. Those subjects were considered to need careful consideration by Her Majesty's Government, and they had hoped to be able to give them that consideration during the last Recess; but owing to circumstances which their Lordships were aware of—Irish questions having to be dealt with—Her Majesty's Government were not now hopeful that, in the present Session, they would be able to bring in Bills relating to the transfer of land, or to settled estates in England. His noble and learned Friend had alluded to the opinion he (the Lord Chancellor) had expressed on these Bills. That opinion was expressed before he was a Member of Her Majesty's Government; but it had undergone no change. He thought that if the general law as to real property were to remain, in other respects, substantially as it was, those Bills would introduce most useful and important improvements. On the other hand, he was not prepared to say that if that law were to be materially altered, the provisions of those Bills must not undergo modification. When his noble and learned Friend introduced his Settled Land Bill, he (the Lord Chancellor) expressed his opinion that the provisions which his noble and learned Friend limited to future settlements ought to be extended to existing settlements, without the checks, as to existing settlements, which were now in the Bill; and if the Government could be induced to give their assistance to passing that Bill, he thought it could only be on such a change being made. In making those remarks, he simply expressed his own views, not being authorized to announce that the Government would depart from the position which they took up last Session in respect of those Bills, and which at that time he explained to their Lordships' House.

The Earl of BELMORE intimated that, in Committee on the Settled Land Bill, he would move an Amendment for the purpose of extending the proposed limit—21 years—of leasing powers.

On Question? *Resolved* in the *Affirmative.*

Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

Then, Settled Land Bill [h.l.], Conveyancing and Law of Property Bill [h.l.], and Solicitors' Remuneration Bill [h.l.], severally read 2ª (according to Order), and *committed* to a Committee of the Whole House on *Monday* next.

House adjourned at a quarter before Six o'clock, to Thursday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Tuesday, 8th February, 1881.

MINUTES]—New Writ Issued—*For* Northamptonshire (Southern Division), *v.* Fairfax William Cartwright, esquire, deceased.

Public Bills—*Ordered—First Reading*—Bankruptcy and Cessio (Scotland) * [81].

Second Reading — Protection of Person and Property (Ireland) [79]—*Third Night, debate further adjourned.*

Committee — Report — Universities (Scotland) (Voting) * [69].

Third Reading—Consolidated Fund, and *passed.*

QUESTIONS.

POST OFFICE SAVINGS BANKS—SMALL INVESTMENTS IN THE FUNDS—PENNY STAMPS DEPOSITS.

Mr. WILLIAMSON asked the Postmaster General, If he can give satisfactory information to the House with regard to the operation of the facilities recently provided by the Post Office for investing small sums in the Government Funds?

Sir WALTER B. BARTTELOT asked the Postmaster General, If he will state the number of new Savings Bank Accounts that have been opened through the agency of the plan for receiving shilling deposits at the Post Office Savings Banks by means of stamps?

Mr. FAWCETT: Sir, in reply to the Questions of my hon. Friends, I have to state that the scheme for the investing of small sums in Government Stocks through the Savings Banks came into operation on the 22nd of November last. During the 10 weeks which elapsed between that time and the 31st of January, the amount invested through the Post Office Savings Banks was £230,087. Of that sum, only £1,289 had been sold. The number of persons purchasing Government Stocks through the Post Office

Savings Banks has been 3,700, and the average amount of their investments £58. Of the £230,000 which has been thus invested, £138,000 was deposited in the Savings Banks for the purpose of immediate investment, and £92,000 was withdrawn from existing deposits. In spite of this withdrawal of deposits, I am glad to be able to state that during the period of 10 weeks to which I have referred the amount deposited in the Post Office Savings Banks has exceeded the amount withdrawn by £828,000; whereas, in the corresponding period of last year, the excess of deposits over withdrawals was only £442,000. Besides the amount invested in Government Stocks through the Post Office, £30,200 has also been invested through the Trustee Savings Banks. Although the plan for receiving 1*s*. deposits at any Post Office Savings Bank in the form of stamps has only been in operation throughout the entire country since the 15th of November last, the number of new Savings Bank accounts that have been opened through its agency is no less than 131,500, and the number of stamps deposited has been 3,600,000.

POOR LAW (IRELAND) — RELIEF OF DISTRESS ACT — EXTENSION OF OUT-DOOR RELIEF.

COLONEL COLTHURST asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he will consider the advisability of extending the power to issue out-door relief (under section 3, Relief of Distress Act) for twelve months, from 1st March, 1881?

MR. W. E. FORSTER: Sir, the hon. and gallant Member asks me whether it is necessary to continue the power to issue out-door relief under the Relief of Distress Act? The question is under the serious consideration of the Government. The hon. and gallant Member is probably aware that by the Relief of Distress Act there is power to make Orders until the end of April. At present, I do not feel it would be necessary to extend the power. There would be very grave objections to it unless in case of real necessity; but we must watch the state of the country.

SOUTH AFRICA—ZULULAND.

SIR DAVID WEDDERBURN asked the Under Secretary of State for the Colonies, Whether he will request the Governor of Natal to send to the Colonial Office an official report of the interviews which his predecessor and the Native Secretary of that Colony had with a large deputation of Zulu Chiefs in the month of May, 1880; and, whether he will lay upon the Table any reports concerning the state of affairs in Zululand which he may have received from Mr. Osborne, the British Resident in that territory?

MR. GRANT DUFF: Sir, in reply to the first part of my hon. Friend's Question, I have to say that we will do as he wishes. In reply to the second, I have to say that I have laid on the Table all these Reports except one, which will be included in the next batch of South African Papers.

BANK HOLIDAYS—CHRISTMAS DAY, 1881.

MR. R. N. FOWLER asked the honourable Baronet the Member for the University of London, Whether, considering that Christmas Day falls this year on Sunday, and thus deprives the commercial community of a holiday, he will bring in a Bill to make Saturday, December 24, a Bank Holiday?

SIR JOHN LUBBOCK, in reply, said, that in the present state of Public Business there was little chance of a private Member passing such a Bill unless it had the general concurrence of the House. He was endeavouring to ascertain the views of the commercial community on the question; but, in a few days, he hoped to be able to give a more definite answer.

LAW AND POLICE—PRIZE FIGHTS.

MR. JAMES HOWARD asked the Secretary of State for the Home Department, Whether he has any record of the number of prize-fights which have taken place during the past year, and the increase over former years; and, if the police have received any special instructions in respect of the attempts to revive these encounters?

SIR WILLIAM HARCOURT, in reply, said, that he could only answer for the Metropolitan district. Beyond that area he must refer the hon. Member to the local authorities. In the Metropolitan district there had been no special increase in prize fights during the past year. There had been four such encounters attempted in the Metropolitan districts; but they had been stopped by the police, arrests had been made, and persons concerned bound over to keep the peace. There had also been one case of what was called a "glove fight," which was in the nature of a prize fight; but steps had been taken to prevent the recurrence of such a contest.

GREENWICH AGE PENSIONS.

Captain PRICE asked the Secretary to the Admiralty, Whether a Naval Pensioner, being in receipt of less than two shillings a day pension, is debarred from receiving the Greenwich Age Pension by reason of his being in Government or in private employ?

Mr. T. BRASSEY: Sir, the number of applicants for Greenwich age pensions so far exceeds the authorized number of 7,500 that it is necessary to impose certain restrictions. In selecting candidates, the circumstances of each case are considered, and all persons in receipt of adequate wages from the Government or private employers, or who are otherwise able to maintain themselves, are excluded. The regulations established by the late Government, and approved by the present Board, have enabled the Admiralty to increase the number of necessitous seamen in receipt of the Greenwich age pension from 5,000 to 7,500.

CONTAGIOUS DISEASES (ANIMALS) ACTS — CATTLE FROM THE UNITED STATES.

Mr. J. G. TALBOT asked the Vice President of the Council, Whether representations have reached the Privy Council from Lloyd's and other quarters as to the cruelties to cattle in their transit across the Atlantic, especially from Boston; and, if so, what steps Her Majesty's Government have taken, or intend to take, to remedy the evil?

Mr. MUNDELLA: Sir, the Privy Council have received representations from time to time as to the sufferings and loss of animals during their passage across the Atlantic, and since the beginning of the year the Committee of Lloyd's have made several communications on the subject. I can assure the hon. Gentleman that these representations have received the careful and anxious consideration of the Privy Council; and they have been for some time, and are still, in communication with the Board of Trade, with the view of devising measures to minimize, as far possible, the suffering and loss. I propose shortly to lay Papers on the Table relating to this question, and in continuation of the Return presented by the hon. Member (Mr. J. G. Talbot) in March last. I think it is right to state that the great majority of the animals landed in this country from America arrived in excellent condition; and I have seen it stated that one Steamship Company, in the course of 15 months, shipped 16,005 head of cattle, of which 15,852 were landed alive, and 30,465 sheep, of which 29,740 were safely landed in this country.

RAILWAYS—THE SOLWAY BRIDGE.

Mr. J. W. PEASE asked the President of the Board of Trade, Whether his attention has been called to the destruction of a large portion of the Solway Bridge, owing to the pressure produced by floating ice upon a bridge described before the Committee on the North British (Tay Bridge) Bill of last Session by the engineer who constructed it, as constructed of "entirely wrought iron columns and lattice girders, exactly the same in construction as the Tay Bridge;" whether this Bridge was inspected previous to its opening by an engineer appointed by the Board of Trade; and, if so, whether such engineer reported upon the danger which might arise from the pressure of floating ice; and, what steps he intends to take before the Solway Bridge is again opened for traffic in order to secure public safety, in the case of a second bridge of the same construction, which has proved to be unable to stand the pressure of storms or flood, and which have been both duly inspected by officers of the Board of Trade previously to their being opened for public traffic?

Mr. CHAMBERLAIN, in reply, said, the Question of his hon. Friend the Member for South Durham assumed as facts one or two points which, he (Mr. Chamberlain) thought, were not conclusively established. His attention had been called to the destruction of a large portion of the Solway Bridge; but the Report from which he obtained his information did not state that the injury was caused by the pressure produced by floating ice, and there was some doubt upon that point. He had ordered fresh inquiry to be made. Before it was opened, the Bridge was inspected by an engineer appointed by the Board of Trade, who, however, did not report upon the danger that might arise from the pressure of floating ice. The third part of the Question seemed to infer that this Bridge was identical in construction with the Tay Bridge, and that its failure might be due to the same causes that led to the destruction of the latter; but that was not exactly the case. It was true that the Solway Bridge was constructed of wrought-iron columns and lattice girders, such as were used in the case of the Tay Bridge; but the application of these columns and girders was entirely different, as appeared from the following facts:—In the case of the Tay Bridge the span between the arches was 245 feet, but in the case of the Solway Bridge it was only 29 feet. The height above high-water mark of the first-named structure was much greater than in the case of the Solway Bridge, being in the case of the Tay Bridge 88 feet, and only 14 feet in that of the Solway Bridge; and above low-water mark the height of the Tay Bridge was 103 feet, while that of the Solway Bridge was only 36 feet. No proposal had yet been made for the restoration of this Bridge; and, therefore, before stating what steps he should take in this matter, he must wait for the fresh Report which he had asked for.

METROPOLIS—THE LONDON CORPORATION, VESTRIES, AND DISTRICT BOARDS—EXPENDITURE.

MR. FIRTH asked the President of the Local Government Board, Whether it is a fact that the Corporation of the City of London, and the London Vestries and District Boards, expend annually between three and four millions sterling, and that no part of the expenditure is audited by independent or skilled auditors; whether he is aware that where elected vestry auditors disallow improper expenditure under the provisions of 18 and 19 Vic. c. 120, s. 145, there is no power to enforce such disallowances; and, whether (until such time as London may have representative municipal government) he is prepared to initiate such measures as may be needful for the auditing of public auditors of such accounts?

MR. DODSON: Sir, the expenditure in question is correctly stated at about £3,000,000 per annum. The auditors for the Vestries and District Boards are elected under the Metropolis Management Act by the ratepayers from members of their own body, who have signified their willingness to serve and are qualified to become vestrymen; but there is no prescribed professional qualification for the office of auditor under the Act. I am unable to say how the auditors for the Corporation are appointed; but I believe by the Corporation themselves. There does not appear to be any power to enforce disallowances by the Vestry auditors in the accounts of the Vestries and District Boards. At the same time, however desirable it may be that such powers should be conferred, and that duly qualified public auditors should be appointed, I am not prepared to initiate a measure for that purpose in the course of the present Session.

HIGHWAY ACT, 1878—THE RETURNS.

MR. R. H. PAGET asked the President of the Local Government Board, When the Annual Return of Highway Accounts for the year ending 31st March 1880 will be published; and what is the reason of the delay in the presentation of this Return?

MR. DODSON: Sir, I hope the Returns referred to will be presented in the course of next month, which will be three or four months earlier than in previous years. The reason why they have not been completed earlier is, because the accounts for separate highway parishes, numbering about 6,000, have to come under audit by the district auditors for the first time during the present financial year, and more time has necessarily been occupied in making arrangements for their audit and in examining the accounts, a large number of which have been found in a more imperfect state than I hope will be the case in future years.

CENTRAL ASIA—ADVANCE OF RUSSIA TO MERV—EVACUATION OF CANDAHAR.

BARON HENRY DE WORMS asked the Under Secretary of State for Foreign

Affairs, Whether it is the fact that Russia has declined to give any positive assurance that she will not advance to Merv; and, whether the statement is correct that, in view of the movements of Russia towards India, Her Majesty's Government have decided to defer the evacuation of Candahar?

Sir CHARLES W. DILKE: Sir, it is not a "fact that Russia has declined to give any positive assurance that she will not advance to Merv." We have reason to think that it is not her intention to do so; but I must repeat that there have been no negotiations upon the subject. With regard to the evacuation of Candahar, I must refer my hon. Friend to the answer given last night by the noble Marquess the Secretary of State for India.

TUNIS—THE ENFIDA CASE.

Mr. MONTAGUE GUEST asked the Under Secretary of State for Foreign Affairs, Whether he can give any information with regard to the action of the French Consul General at Tunis, in forcibly ejecting the agents of a British subject, Mr. Levy, from the Enfida estate in that Regency, and his taking possession of that estate for a French Company, the Société Marseillaise, although, according to the laws of that Country, Mr. Levy has a right to become the proprietor of that estate, in accordance with International Treaties of 1863, which allowed British subjects to acquire real property in Tunis, on condition of such property being exclusively subject to the operation of the local laws and the jurisdiction of the local courts, which Treaty was subsequently adopted in its entirety by France and other European Powers, and has been hitherto strictly adhered to; and, whether Her Majesty's Government have received any communications on the subject from Her Majesty's Representative at Tunis; and, if so, he will lay the Papers connected with this question upon the Table of the House?

Sir CHARLES W. DILKE: Sir, the French Government have given instructions to their Consul General not to intervene in this case. We had anticipated that action by instructing Her Majesty's Agent and Consul General not to take any steps with regard to it without orders from home. I am unable to add anything else to the statement which I made yesterday upon the subject, for a correspondence is still going on between the Governments, and a further Report, which I told my hon. Friend a few days since we had called for from Mr. Reade, has not yet reached us.

STATE OF IRELAND—DETECTIVES AT PRIVATE MEETINGS.

Mr. MACDONALD asked the Secretary of State for the Home Department, Whether his attention has been called to the statement in the "Daily News" that a person giving the name of Smyth, and stating that he was a member of the police force, was present at a meeting of the Anti-Coercion Association last Saturday night at the Occidental Hotel, and that the man Smyth, on being questioned as to his object, stated that he sympathised with the Anti-Coercion movement; and if he can state if instructions have been given to detectives to attend the private meetings of such associations, and to secure admission by such statements as that of sympathy with its object?

Sir WILLIAM HARCOURT: Sir, no instructions have been given to detectives to procure admission to meetings under such pretexts as are referred to in the Question of the hon. Gentleman. Policemen, either in plain clothes or in uniform, attend in the vicinity of all public meetings, to prevent rioting, and to be at hand if their services are necessary for the preservation of the peace. I am informed that a meeting was held at the place in question on the day named; and a police officer, seeing persons assemble there, went in, and, having been informed that it was a private meeting, immediately withdrew. Although I have answered this Question at length, I would submit to the House that if it is considered necessary and desirable to have detective police, it is not desirable that the instructions that are given to such police should be made public.

TURKEY AND GREECE—MR. GOSCHEN'S INSTRUCTIONS.

Mr. BOURKE asked the Under Secretary of State for Foreign Affairs, Whether any instructions have been given to Her Majesty's Ambassador to the Porte in reference to the Turco-Greek question; and, if so, whether those instructions will be communicated to the House?

SIR CHARLES W. DILKE: Sir, Mr. Goschen has not received a fresh set, but goes out under his former Instructions, supplemented by others from time to time, given according to the changing phases of the Eastern Question. He is now, of course, in full possession of the views of Her Majesty's Government upon the present situation, which have been conveyed to him in the course of his conversations with my noble Friend Lord Granville. Many of the Instructions given to Mr. Goschen will be contained in the new Blue Books. The first volume will be out to-morrow or Thursday, and the second in about a week.

NAVY—THE ROYAL MARINE CORPS—RE-ORGANIZATION.

CAPTAIN PRICE asked the Secretary to the Admiralty, Whether any conclusion has yet been arrived at as to the re-organisation of the Royal Marine Corps; and, whether the Report of the Committee of 1880 upon this subject will be laid upon the Table of the House?

MR. TREVELYAN: Sir, the Board of Admiralty have come to the conclusion not to amalgamate the Royal Marine Light Infantry with the Royal Marine Artillery. The Report of the Committee, which was very much divided in opinion, will not be laid upon the Table of the House.

NAVY — NON-COMMISSIONED OFFICERS OF THE ROYAL MARINES—LOSS OF TIME FOR PENSION.

CAPTAIN PRICE asked the Secretary to the Admiralty, Whether it is the case that a non-commissioned officer of Royal Marines, who has been reduced to the ranks for misconduct, forfeits all previous non-commissioned officer's time for pension, although he may attain to his former position before discharge, but that such time is not forfeited in the Army in a similar case?

MR. TREVELYAN: Sir, the practice with regard to non-commissioned officers in the Royal Marines who have been reduced for misconduct, in the opinion of the Admiralty, should be assimilated to that of the Army. The Treasury has already signified a conditional approval of the change, and, as soon as sanction is definitely given, a regulation to that effect will be promulgated to the Fleet.

SOUTH AFRICA—THE TRANSVAAL—INSURRECTION OF THE BOERS—PROCLAMATION OF THE DUTCH TRIUMVIRATE.

MR. RYLANDS asked the Under Secretary of State for the Colonies, Whether the Government are in possession of the Proclamation recently issued by the Triumvirate of the Boers of the Transvaal; and if there is any objection to laying it upon the Table of the House?

MR. GRANT DUFF: Sir, in reply to my hon. Friend, I shall have much pleasure in laying on the Table a copy of a document received at the Colonial Office, purporting to be an authentic copy of the Boers Proclamation. I shall, at the same time, lay on the Table a copy of a subsequent Proclamation by them, which is also believed to be authentic.

STATE OF IRELAND—THE COUNTY OF WICKLOW.

MR. M'COAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If it be true that the county court judge, in addressing the grand jury at Baltinglass on the 2nd instant, declared that for order and peacefulness the whole of Wicklow might be regarded as a model county; and also, if it be true that six branches of the Land League have, for a considerable time past, been established and in active operation in the county? The hon. Member also asked, On what principle the Irish Executive will proceed in proclaiming counties, or part of counties, in Ireland, so as to bring them within the operation of the proposed Coercion Acts?

MR. W. E. FORSTER: Sir, I have not seen the report referred to of the speech of the County Court Judge; but I have reason to suppose that what the hon. Member states as having been said is correct; and if it is, I must congratulate the hon. Member on the state of his county. I do not know the exact number of the branches of the Land League in the county of Wicklow; but I should not be surprised to hear that there are six. With regard to the second Question, the only answer I can give is that upon the Protection Bill becoming law the Irish Government will most carefully consider what counties or districts they will proclaim under it, the intention being to proclaim only those where the adoption of such a course is necessary for the maintenance of law and order.

LAW AND POLICE — THE CONVICT MICHAEL DAVITT.

Mr. M'COAN asked the Secretary of State for the Home Department, If he will lay upon the Table of the House Copies of the Ticket-of-leave on which Mr. Michael Davitt was liberated in 1877; of the Order to Sir James Ingham on which the Warrant for his re-arrest in Dublin on the 2nd instant was issued; and of the said Warrant itself; if he will state to the House what, if any, violation of the conditions of the said ticket-of-leave formed the ground of Mr. Davitt's re-committal to prison; and, whether it is contrary to all precedent to cancel such tickets-of-leave unless their conditions have been violated?

Sir WILLIAM HARCOURT: Sir, in answer to the first part of this Question with reference to these documents, I do not think there would be any advantage, and certainly it would not be according to custom, to lay them on the Table of the House. At the same time, if the hon. Member wishes to see them, he can do so, or I will let him have copies of them if he desires it. The ticket-of-leave granted to Michael Davitt was made out in the form prescribed under the statute by the Act of 1873. The other documents alluded to are drawn up in ordinary form, there being no special circumstance about them. With reference to the second part of the Question, I have to say that it is the unquestionable right of the Crown to revoke the licence of a convict, such as this one, if there should seem to be good reason for so doing. That right certainly should not be exercised arbitrarily, or without grave and sufficient reasons; and, in the opinion of the Government, there was, and is, most grave and sufficient cause for revoking the licence of Michael Davitt. I do not think it would be for the public interest that I should, at present, be called upon to state in detail the reasons which have led Her Majesty's Government to the decision that it was not right that Davitt should any longer remain at large.

Mr. M'COAN: The right hon. and learned Gentleman has not answered the third part of my Question, which, I may remark, has been altered since I gave Notice of it, in such a manner as to alter the sense.

Sir WILLIAM HARCOURT: I included the answer to it in the one I have given.

Mr. GRAY: I wish to ask the right hon. and learned Gentleman, Whether any of the political prisoners liberated at the same time and under the same circumstances as Mr. Davitt—[*Cries of* "Order!"]—whether any others are still at large; and, whether it is the intention of the right hon. Gentleman to arrest them?

Sir WILLIAM HARCOURT: I would ask the hon. Gentleman to give Notice of that Question, as it is one which ought to be considered before it is answered.

LAW AND POLICE—THE USE OF REVOLVERS.

Mr. GREGORY asked the Secretary of State for the Home Department, Whether, having regard to the recent outrages reported in Edinburgh and London, and the number of persons wounded by shots from revolvers, he will consider whether some check could not be put upon the use of these weapons, either by an increase of the tax upon them or by regulations for the sale or use of them?

Sir WILLIAM HARCOURT: Sir, I entirely agree with the hon. Member that it is extremely desirable that some check should be put upon the detestable practice of carrying firearms; but the means of doing this are extremely difficult. It is, of course, a subject which will engage the attention of the Government.

ENDOWED INSTITUTIONS (SCOTLAND) ACT, 1878—GRANTOWN FEMALE INFANT SCHOOL.

Mr. HENDERSON asked the Secretary of State for the Home Department, When he will lay upon the Table of the House a Copy of the Report of the Commissioners under "The Endowed Institutions (Scotland) Act, 1878," on which the Provisional Order relating to the Grantown Female Infant School is based, and which is now before Parliament?

SIR WILLIAM HARCOURT: The Report was laid on the Table yesterday, and will be in the hands of hon. Members immediately.

SCOTLAND—EDINBURGH REGISTER HOUSE—THE INDICES.

SIR R. ASSHETON CROSS asked the Lord Advocate, What progress has now been made in writing up the arrears in the several indices in the Register House, Edinburgh; and, whether he is now in a position to give any assurance that both the Search Sheet System and the old Index System will both be maintained?

THE LORD ADVOCATE (Mr. J. M'LAREN): I have ascertained that satisfactory progress has been made in writing up the arrears of the abridgments and indices of the Records in the Register House; and, according to the present rate of progress, it is expected that the indices, both to the old series, ending 1870, and the current series of the Records, will be completed in about two years from this time. With regard to the continuance of the present system, the right hon. Gentleman is aware that a Report has lately been furnished to the Treasury on this subject. Until that Report has been fully considered, it would be premature to give an assurance that the old indices will be continued. I may say, however, that no change in the present system will be made without giving an opportunity to the Profession to express their opinions on the subject.

CROWN LANDS ACT, 1866—THE FORESHORE NEAR SKERRIES.

MR. T. D. SULLIVAN asked Mr. Solicitor General for Ireland, If he will lay upon the Table Copies of the case laid before the Right Honourable Edward Gibson and Hugh Holmes, Esq. Q.C., the late Attorney and Solicitor General for Ireland, by Messrs. Hallowes and Hamilton, in relation to the action of Ion Trant Hamilton, M.P. *v.* the Attorney General and others Defendants, tried before the Vice Chancellor of Ireland on the 30th June and 1st, 2nd, and 3rd July, and the direction of the said law officers thereon; and of the consent signed by the said law officers admitting the Plaintiff's title to the foreshore near Skerries, extending over four miles, and waiving and abandoning the claim of the Crown thereto; and to ask, whether the present Attorney General, now that he has been made a party to the said action, will appear on the hearing of the appeal, and defend the public right and the right of the Crown to the foreshore in question?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): Sir, by the Crown Lands Act, 1866, all the rights of the Crown in the foreshores of the United Kingdom are placed under the management of the Board of Trade, whose solicitors in Ireland are Messrs. Hallowes and Hamilton, mentioned in the Question of the hon. Member, and who, therefore, I presume, have any case submitted by them to the late Law Officers, or documents connected with the matter. Having been made a party to the action, I shall, of course, take care that any public rights or rights of the Crown which may be deemed to exist shall be duly protected.

RIVERS POLLUTION PREVENTION ACT, 1876—LEGISLATION.

MR. BIRKBECK asked the President of the Local Government Board, Whether it is the intention of the Government to bring in this Session a measure to amend "The Rivers Pollution Prevention Act, 1876," so as to make that Act more effective as regards the protection of fisheries throughout the United Kingdom?

MR. DODSON, in reply, said, that in the present state of public affairs he was afraid that he could not hold out any hope that the Government would be able to introduce a Bill on this subject this Session.

AFRICA (WEST COAST)—WAR WITH ASHANTEE.

LORD EUSTACE CECIL wished to ask the Secretary to the Admiralty, Whether it was the intention of the Government, in the event of hostilities breaking out with Ashantee, to form a naval brigade for service on the West Coast of Africa, with the proper complement of Marines and guns?

Mr. TREVELYAN: In answer to the Question of the noble Lord, I need hardly remind him that the Admiralty are only responsible for what is going on afloat, and that a naval brigade would not be landed, except at the request of the Colonial Office or the War Office. The Admiralty recognize as part of its business to see that Her Majesty's ships are so stationed that assistance can be afforded if necessary in the present juncture. That is what has been, and is being done, for, at the present moment, all the heavily-manned portion of the Squadron is at Durban, and the available drafts of the crews have been landed to serve with Sir George Colley. The senior officer in command on the Gold Coast is, no doubt, concentrating his gunboats for the protection of the settlement. By the last advices, one, the *Foam*, was there already, and four others—the *Rambler*, the *Firefly*, the *Pioneer*, and the *Flirt*—may be there at any moment. But, in order to provide against any need that may arise, the Admiralty have taken the following step:—The *Champion*, a fine corvette, with a crew of 264 men, is to-day at Madeira, on her way to join the Pacific Squadron, under the command of Captain George Hope. We have telegraphed to her to proceed to St. Vincent for orders; and, if necessary, she will go on from St. Vincent to Cape Coast Castle, collecting the gunboats on her arrival, if not collected before. This would place a good officer of high rank and an effective available force, with Gatling guns, on the scene of action within 12 days from this time.

SUPREME COURT OF JUDICATURE ACT, 1873—OFFICES OF THE LORD CHIEF JUSTICE OF THE COMMON PLEAS AND LORD CHIEF BARON.

Mr. RYLANDS asked, When it would be convenient to the Government to take the discussion on the Order in Council relating to the abolition of the offices of Chief Justice of the Common Pleas and Chief Baron of the Exchequer?

Mr. GLADSTONE: We hope, Sir, by breaking off the other Business at a reasonable hour, to take it on Thursday next.

AGRARIAN OFFENCES (IRELAND)—THE RETURNS.

Mr. J. COWEN asked the Chief Secretary for Ireland, Whether it is a fact that, in the Return of agrarian crimes presented to the House this day, 439 offences are reported, of which 251 are cases of threatening letters; and, if the right hon. Gentleman will place some of those threatening letters in the Library of the House, in order that Members may have an opportunity of judging what they are like?

Mr. W. E. FORSTER, in reply, said, that the Return showed the facts stated; and although he could not consent to the hon. Member's request, seeing that most hon. Members knew the nature of them, as it had often been stated in the debate, if he had an opportunity of speaking again, he might possibly illustrate his subject by giving one or two of the threatening letters.

Mr. T. P. O'CONNOR asked, When the detailed agrarian Returns for December would be laid on the Table of the House?

Mr. W. E. FORSTER, in reply, said, he could not give any other answer than that they would be issued as soon as possible.

COAL MINES—WHITFIELD COLLIERY EXPLOSION.

Mr. MACDONALD asked the Secretary of State for the Home Department, Whether he had received any official account with respect to the loss of life in consequence of the colliery explosion at Whitfield?

Sir WILLIAM HARCOURT: No; but I have heard that the Inspector of Mines is in London, and I hope, in the course of a short time, to be able to give the hon. Gentleman the information for which he asks.

ORDERS OF THE DAY.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL.—[Bill 79.]

(*Mr. William Edward Forster, Mr. Gladstone, Secretary Sir William Harcourt.*)

SECOND READING.

ADJOURNED DEBATE. [THIRD NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [4th February], "That the Bill be now read a second time."

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Bradlaugh.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

MR. SCHREIBER said, he was very much afraid that that debate had reached a stage when those who addressed the House would find it easier to say what was true than to say what was new. If so, he hoped they would receive the indulgent consideration of those hon. Members on both sides of the House whose frequent eloquence had caused the strait in which they found themselves. In any case, he could promise the House that he, for one, should not retaliate at any length. Now, Parliament having met on the 6th of January, and that being the 8th of February, if he were asked what he had been doing for the last 33 days, he should say he had a strong impression that he had been listening, with more or less patience—sometimes with more, sometimes, he admitted, with less, but always, he hoped, with patience—to "second reading" speeches on that Bill. But, as there was an end to all things—even, as somebody had said, to Wimpole Street—so he hoped that they were now within "measurable distance" of the end of that debate. And he thought that the House might well be ready for the decision of a vote, because, as it had seemed to him, the strongest arguments in favour of that Bill had been supplied by those who had opposed it most. Surely, no one who did not want that Bill ought to have proclaimed the existence in Ireland of an "unwritten law" in conflict with the law of the land, and resting on a "public opinion" hostile to those who obeyed that law. That was to throw down a challenge which no Government could decline and live. To that challenge the necessary and inevitable answer was that Bill. In like manner, to parade the supremacy of the Land League—what was it but to compel those on that Front Bench, and who had recently taken the "Queen's shilling," to vindicate the Queen's supremacy? Well, then, had hon. Members from Ireland the slightest idea what an impulse in the country had been given to that Bill by the kind of opposition it had met with here? Why, they had simply created one of those occasions, rare enough now-a-days in England, when "none were for a Party, but all were for the State," and when Her Majesty's Ministers having got into a mess—a mess very much of their own making—the country expected of Her Majesty's Opposition that they would do their best to get them out of it. He held that the strongest arguments in favour of the Bill had been supplied by those who had opposed it most, and that the proposal of the Government had received a great impulse from that opposition. Recent events had "educated" the House to understand that a measure of repression could also be a measure of relief, and that there lay a real danger to freedom in the abuse of free institutions. "They gave us the Constitution for their purpose; we will use it for our own," were the memorable words of the hon. Member for the City of Cork (Mr. Parnell), to whom he (Mr. Schreiber) was sorry to be obliged to allude in his absence. Yes; but then the hon. Member must be content to use it "lawfully;" and, as in that House so in Ireland, laws must be made for those who could not be a law unto themselves. Such were the contributions, or some of them, which had been made to the case of the Government by the opponents of that Bill; and what had they done to weaken it? With regard to the state of Ireland, they had the statements of Her Majesty's Judges that there was a breakdown in the administration of justice, and a failure of trial by jury; but the opponents of the Bill had not shaken that question at all. How did they grapple with the statement in Mr. Justice Fitzgerald's Charge to the Grand Jury at Cork, that "we had to deal with an armed population?" They did not grapple with it at all; but if the same light and airy criticism was to be applied to that statement as was used with the Blue Book upon "outrages," perhaps the hon. Member for Northampton (Mr. Labouchere) would tell them that the population of Munster armed themselves for the purpose of shooting blackbirds! Speeches of that character had been made, which had only stopped short—if, indeed, they had stopped short

—of trifling with their intelligence. But the House had been told that outrages in Ireland were fast diminishing. If so, it was due to one of two causes. If to the fear of this Bill, what greater encouragement could they have to proceed with it? If to the orders of the Land League, it was still more their duty to persevere; because it had been shown that they had to face a dangerous and subtle organization, which worked by outrage when its object was to intimidate, and by suppressing outrage when its object was to re-assure. Again, the Government was urged to allow remedial measures to accompany, or to precede, their measures of coercion. That suggestion appeared to him to be based on a total misconception of the "real nature of things;" certainly, of the "real nature of Irish things." There was nothing that the Irish people so much despised as weakness in their rulers; and if, before the Queen's authority was restored in Ireland, they were to confiscate the interest of every landlord in the soil, and make a present of it to the Land League, the gift would be received with no feelings of gratitude, but rather of contempt. He might say that the Chief Secretary might be an "angel from heaven;" but if he were not a firm "angel," or if the people of Ireland did not think he was a firm "angel," he would never be able to govern them to his own satisfaction or to theirs. He would ask them by all means to be just towards Ireland, because this country had wronged her in the past; and he would ask them to be generous towards Ireland, as this country was rich and she was poor; but, in mercy to her, let them first be firm. And now he would make an earnest and respectful appeal to Irish Members, for their own sakes, and for the sake of Ireland, not to protract their opposition to that Bill in any manner inconsistent with the best traditions of that House. If they did, they would be guilty of great injustice to themselves; for their great ability, the industry and courage which they undoubtedly possessed, would, in that event, be worse than wasted. If they did, they would be guilty of great injustice to Ireland; for a recent visit to his constituents had taught him that a "policy of exasperation" was the very worst way to obtain for Ireland the patient consideration of her wants. The fact was, that they might lead the English people, but they would never drive them; and when they saw Irish Business always before that House, attended by ceaseless discussion "how not to do it," and involving the exclusion of all Scotch and English Business, they were hardly being prepared to give the most favourable reception to an Irish Land Bill. The deep interest which he must ever take in Ireland had emboldened him to indicate a danger which he hoped might be avoided. If it was not, then on the hon. Gentlemen who sat below him (the Home Rulers) must rest the responsibility of having thwarted the generous purpose of a Parliament whose goodwill to Ireland knew, he believed, no limits save those which reason and justice must impose. He thanked the House for the patience with which it had heard him. In view of all the grave circumstances in which the country found itself, he should give the Government his humble support, reserving for himself, to a more convenient season, the consideration as to how far they deserved it.

Mr. J. COWEN said, he was painfully conscious that any appeal to the Government to abandon, or even to modify, the harsh and, as he believed, the fatal course of policy they had entered upon, would be unavailing. He felt so keenly, and he differed so widely, on this question from most of the Gentlemen near whom he sat, that he would gladly have been silent. But when a man was placed in a position in which he was compelled to give expression to his opinion, the fact that he was in a helpless, hopeless, and—at this time, as he knew—a despised minority, only rendered the necessity for his speaking the more urgent. It was no pleasure to him to be in constant conflict with political associates. But neither fear of Party "Boycotting," nor despair of success for the cause he pleaded, freed a man from the honest utterance of unpalatable truths. It was a melancholy and mournful reflection that the British Parliament—80 years after the Union which was to bring peace and prosperity to Ireland—should be occupied in formulating a ukase that would place the liberties of the Irish people at the caprice of a prejudiced and perplexed police, a maddened magistracy, and a bewildered Government. For seven sad centuries, English rule in Ireland had been little else than a dreary round of starvation and agitation, conspiracy and insurrection, followed by brutal repressions and reprisals. They might not unprofitably preface the concession of the despotic powers that the Government were demanding of them by inquiring why it was that a people endowed with so many active and splendid faculties, possessed of so many noble and attachable characteristics, and with whom we had lived in enforced connection so long, should repudiate our rule, rejoice at our disasters, and proclaim their undying conviction that there was no hope of social or political betterance from an English Parliament save through the horrors of an incipient civil war? Why was there this unending enmity, this enduring distrust between the two peoples? There was never a smoke but there was a fire. The fire in Ireland had smouldered for centuries, and every decade it burst into a blaze. No people—not even Irish peasants—would risk their liberties, imperil their lives and their properties, for political changes, if there were other and easier modes by which reform could be obtained. Less than 150 years ago Scotland was in rebellion for the heir to the House of Stuart. Now she was one of the most loyal, prosperous, and contented portions of the United Kingdom. Ireland, under the same Sovereign, was distressed, disloyal, disaffected. Why was this? In that "why" lay the kernel of the whole question. The inhabitants of no part of the earth's surface were more supremely wretched than the people in the West and South of Ireland. Destitution was their permanent condition. It was the classic land of misery. "In a climate soft as a mother's smile, on a soil fertile as God's love," the Irish peasant mourned. Thousands—or rather, tens of thousands—of Irishmen had found that material prosperity in other lands which had been denied them in their own. But they carried to their new and happy homes the treasured wrongs of centuries. Neither absence nor distance could soften their hostility to those whom they regarded as their oppressors. Englishmen, he knew, winced when the sepulchres of history were unearthed, and the winding-sheets and skeletons of buried crimes were revealed. There was a great man now lying dead at Chelsea—no man less of a Revolutionist, less even of a Radical, than he was—yet he affirmed, on a memorable occasion, that England was suffering—righteously suffering—for 15 generations of wrong-doing to Ireland. The sins of the fathers had been visited upon the children. There were memories of the past that Irishmen could not permit to sleep. The Government paraded the offences that had recently been committed in that country—paraded them, he often thought, offensively and unnecessarily. But the Chief Secretary ought to lay some of these outrages at the tombs of their Predecessors rather than at the door of the much-derided Land League. We had inherited a legacy of hate, which we and our children would have to discharge. We were not guilty for the past, but we were responsible for it. This consideration ought to modify—and he believed it did modify—the criticisms of some Irishmen on English rule. The Government professed themselves to be anxious to deal generously with Irish grievances. He did not doubt their sincerity. But they went a somewhat strange way about their work. It was not the deed, but the spirit in which it was done; it was not the gift, but the temper in which it was given, that made it acceptable to those who received it. The Government's promise of ameliorative legislation had been prefaced by one of the hardest, harshest, and most hateful Coercion Bills that had ever been submitted to the Legislature. Things, too, had been done and said in the progress of that measure that had grievously embittered the relations between the two peoples. The acrid speeches that had been made, and the atrabilious writings that had been published, would rankle in the minds of Irishmen for years hence. They had acted like the pouring of oil on the blazing brazier. ["Oh, oh!"] Some hon. Gentleman said "Oh, oh!" but he must have a very imperfect knowledge of the history of mankind if he did not know that for one conflict between nations that had arisen over material disputes, five had arisen out of sentiment, or from a sense of offended honour. It was only a few years ago that the Government of this country had to pay—and to pay smartly, too—to a friendly State for the offensive comments made respecting that State when its people were in all the throes of civil war. Some, too, might recollect the experience of the second war between this country and America. An Englishman of distinction visited the United States after that lamentable encounter, and had an interview with one of the leading Republican statesmen. He inquired of him how it happened that America had commenced war with such precipitation. General Cushing assured our countryman that the Americans went to war, not for so many square yards of territory or so many ounces of gold, but to vindicate their national reputation from the sneers of Mr. Canning and his Colleagues in Parliament, and the rancorous comments of the English Press. If the hon. Member behind him still cared to call in question his contention, he (Mr. Cowen) could supply him with other historical illustrations that would uphold the argument he had started—that people were influenced in their love or their dislike of each other by other than material interests. Englishmen either could not, or would not, realize what the Irish people thought and felt. The shout of savage satisfaction that went up from the Ministerial Benches when the Home Secretary, a few nights ago, jauntily announced that he had sent a noble Irishman back to slavery, had sown a crop of ill-will and animosity which the present generation would not see reaped. They might sneer at, they might denounce and deride a dominant nation with impunity; but the same criticism addressed to a sensitive, suffering, and subject race cut them to the quick. Until the English Parliament and the English people realized the force of this, the abyss between the two countries would be broadened rather than contracted. Hon. Gentlemen on that side of the House complained of the severity of the speeches that had been delivered from the Opposition Benches. They ought to recollect the provocation under which the Irish Members spoke. There were those there who had been in English prisons—not one, but several of them. They knew what the tender mercies of British rule were under a Liberal Administration, when exemplified through the provisions of a Coercion Act. The iron had entered into their souls. There were men, too, there, who were the sons or relatives of evicted tenants, who, when children, had seen their families with their humble effects turned on to the bleak hillside—landless, houseless, and homeless, where there was nothing before them but the highway and the workhouse. The smug, self-satisfied, well-to-do, middle-class Englishmen might talk of such events with complacency; they might, with affected moderation, seek to underrate the extent of such suffering; but the men who had passed through it were not capable of referring to these transactions in such dulcet strains. The Chief Secretary said that the Land League wielded an authority greater than he did, although he was clothed with all the panoply of power. Had it never occurred to him to inquire how that authority had been won, and why that influence was wielded? The hon. Gentlemen opposite were most of them young men, without great means, without the influence of social rank, and without material forces. How was it that they were able to compete, and more than compete, with the Castle and all its constables and spies? It was because they personated the antipathies, the aspirations, the sufferings, and the hopes of those whose hearts beat beneath their rags. They could rule the pulse, cheer the sadness, and sweep the strings of the national harp. Until the English Government could equally win the confidence of Irishmen, all their Coercion Bills would be unavailing, and all their persecutions profitless. The Government based their demand for coercion on the number and character of the agrarian outrages that were alleged to have occurred in Ireland within the last 12 months. He would not detain the House by entering into a detailed examination of the voluminous Blue Books that had been published on this subject. They had been riddled through and through by the criticisms of his hon. Friends opposite. He could say this, however—that he had gone over the whole of the statistics of crime with which the Government had supplied them, carefully, impartially, and dispassionately; and he rose from the examination of those figures with a strong and deliberate impression upon his mind that they had been prepared with the view of "getting up" a case. The persons who had collected and tabulated those figures had manifestly done so with the view of pleasing the authorities, who, it was understood, were anxious to have evidence to justify an application for coercion. Some of the cases stated were grossly and outrageously exaggerated. There was the barest shred of fact for them to rest upon. Other cases had been split into three or four different offences, with a view to magnify the total. Some crimes, too, had been incorporated in the Return that had about as much reference to agrarian disputes as the Nihilist movement in Russia had to the United Kingdom Alliance. To use a familiar phrase, the Chief Secretary and his agents and police had "over-egged their pudding." In their anxiety to get data to justify their coercive legislation, they had strained the facts till their figures had become untrustworthy. He was not there to say there had not been offences, and that there had not been outrages. Every candid man must admit that there had been. If the Government had carefully and fairly presented a statement of this evidence, without manifesting—as the Returns before them did manifest—an animus and a foregone conclusion, their position would have been much stronger. If the numbers had been reduced, and their reliability unquestioned, the arguments of the Ministry would have been less disputable. It was right, in considering this class of evidence, to remember the way in which it was collected and its general untrustworthiness. The present position of affairs in Ireland was not new. It was but a repetition of what had occurred many times within the last couple of centuries. They had there, unfortunately, perpetual agrarian differences and disputes; and every man that had been charged with the administration of Irish affairs knew the character of the class of evidence that was usually sent to the Castle. He could quote testimony on this point from different but equally trustworthy authorities. He could give, if it was required, the opinion of Mr. Drummond, the only English official who ever went to Ireland that won the heart and confidence of the Irish people. But he would not refer to Mr. Drummond; he would not even quote the testimony of Lord Althorpe, a warm friend of Ireland, a man who disliked coercion as much as he (Mr. Cowen) did. Nor would he cite Lord Normanby, nor Lord Eglinton, both of whom in their day had shared the opinions he now expressed; but he would give the views of a man who knew Ireland well—no man knew it better—a great Conservative statesman, a great commander, and, better still, agreat man. He would read, for the edification of the Chief Secretary and his Colleagues, the wise and weighty words of the Duke of Wellington, who, in commenting on the unreliability of the evidence that was systematically sent to Dublin Castle for the information of the Government, wrote in his Correspondence as follows:—

> "It frequently happens that disturbances occur only in a very small degree, and probably only partially, and that the civil power is fully adequate to get the better of them. At the same time, the desire to let a building to Government for a barrack—the desire to have troops in the country, either in consequence of the increased consumption of the necessaries of life, or because the increased security which they would give to that particular part of the country would occasion a general rise in rents and in the value of land. Upon these occasions letter after letter is written to the Government; the same fact is repeated through many different channels; and the result of the inquiry is generally that the outrage complained of is by no means of the nature or of the extent which has been stated. The obvious remedy for this evil, and that which is generally resorted to, is to call for information on oath of the transactions complained of. But this remedy is not certain, for it frequently happens that informations on oath are equally false with the original representations."

When the Chief Secretary placed such unqualified reliance on the evidence of his agents, spies, and policemen, he might with advantage read further memoranda of the Duke of Wellington on this subject. But the Government had somewhat changed their ground since the Session began. When the House met, their case was built up entirely on these outrages. From what had been said in that House, they felt they could no longer trust their Returns implicitly. They admitted, by their course of procedure, if not by their speeches, that the strength of their figures had been shaken. They could not gainsay the fact that offences had largely decreased during the last month. Members had had supplied to them that morning a Return showing the alleged outrages during the month of January. There were 439 cases on the Paper, 251 of which were threatening letters. Only 188 crimes, therefore, had occurred in 30 days. During all that time there had not been a single murder, a single case of manslaughter, one solitary assault, one case of appearing armed, of levying contributions, of cutting and maiming the person. He would undertake to say that there was not another country of Europe—not even Switzerland, Sweden, or Norway—that could present such a clean bill of health as Ireland presented during that time. When they remembered that the population was over 5,000,000, and that all the offences scraped together by the industry of 12,000 police, by more than double that number of soldiers, and by no end of other agents, did not reach 200 cases, exclusive of threatening letters, the position of the Government was absolutely untenable. The right hon. Gentleman said that crime had decreased because the people were frightened of him and his Coercion Bill. That, however, was a matter of opinion. What they had to do with in that House were facts; and the facts showed that there was less crime during last month in Ireland than probably there was during the same period in any other country of like extent and population in Christendom. The opinion of the Chief Secretary was just about the last opinion that he would attach importance to on an Irish subject. It might startle some to make such a statement; but every man familiar with the country would admit its correctness. There were two nations in Ireland, between which a deep and bitter gulf ran. The Chief Secretary knew what one nation—the smallest—felt and said. He knew the opinions of the Castle officials, of the Constabulary, the detectives, spies, and landlords. No one would question that he had correct information concerning that class of the population. But he did not know—from his very position it was impossible for him to know—the opinion of the people who were outside that select circle. The fact that he was Chief Secretary prevented ordinary people coming in contact with him. If the right hon. Gentleman had still been an independent Member of the House, instead of a Minister, he would really have been in possession of more trustworthy information respecting the opinions of the Irish people at this crisis than he was now. But, dismissing all these qualifying considerations, he came to the fact that the Government were basing their application for coercion upon certain Returns. Now, even admitting those Returns to be unassailable, his contention was that they did not justify the Legislature in giving the Executive power to suspend the Constitution. They were asked by the Bill before the House to vest in the officials of Dublin Castle uncontrolled and unlimited power over 5,000,000 of people. When the Bill became law the liberty of these people, their personal and political independence, would be at the mercy of any spy or disaffected policeman, of any angry agent or disappointed landlord. They were really establishing a system of *lettres de cachet*, and the evidence upon which they were formulating their demand for this despotic authority did not warrant it. A state of siege in no country of Europe would be asked for on such flimsy evidence. Driven to abandon, or, at least, to partially abandon, their claim for coercion, as based on the list of outrages, they proclaimed that a general state of terror existed in Ireland. This was a very indefinite accusation to make. Fear was a state of mind. It was a subjective condition. A man might be afraid. He did not question that some of the Irish landlords were. But the point for them to consider was whether they were justified in being afraid. People were afraid of many things. Some were afraid of spectres—political and social spectres. Others were afraid of their constituents. He knew men that were afraid of the Ministry, and not a few that were afraid of Mrs. Grundy. All these kinds of fear were explainable, and, under certain circumstances, warranted; but he could not explain, he could not even understand, how anyone could be afraid of threatening letters. And the terror that existed in Ireland had chiefly been generated by those ferocious missives. A threatening letter would break no bones, and it need disturb no man's sleep. Such stupid documents were only circulated by fools, fanatics, and cowards. No brave man would ever for a moment allow his equanimity to be upset by such miserable and contemptible compositions. He would undertake to say that he had received more threatening letters, and more offensive communications of that character during the past three years than any landlord in Ireland. He had deemed it to be his duty to differ from the Leaders of the Liberal Party on great questions of public policy, and a set of silly, weak-minded persons had imagined that they could threaten him, or coerce him, into abandoning his convictions, or changing his course of action. Possibly, by this time they had discovered that that was not practicable. He had received a threatening letter that morning, and had got several during the last few days, for the part he had taken in defending the Irish Members when they had been driven to bay by an exacting and, for a time, enraged majority. The communication he had received told him that his house would be set on fire, some machinery he was possessed of would be broken, and a colliery he was owner of would be damaged. When he received that document he had not gone whining to the police, or to the Home Secretary, bemoaning his lot, or soliciting official protection. But if he had come in contact with any coward likely to perpetrate such an offence, he would have ducked him in the first horsepond. He did not know whether most to laugh at or to feel astonished at grown men—men charged with the responsibility of government—attaching importance to these communications. The fact that they did so tempted people to write them. It was well-known in Ireland that frightened agents and landlords, when they wanted to have special protection, used to send threatening letters to themselves. If the Government were really anxious to make good their accusation that a system of terror existed, they had better abandon the childish evidence of threatening letters, and base their charges upon stronger grounds. He quite admitted that the plan of "Boycotting" existed, and he regretted it. He was not there to say one word in extenuation or apology for it. Any system of exclusive dealing or of social persecution he had no conceivable sympathy with. It was beyond dispute that it had existed, although it did not exist now to the extent that it did recently. No man had done more to put it down than that man whom the Government had, within the last few days, sent back to slavery. It was a remarkable circumstance that, whenever the people were passing through a condition akin to that in which the Irish people were placed, they always resorted to this process of social ex-communication. History supplied them with innumerable instances where a like practice had been resorted to. In the Peasant War in Germany, when the cultivators of the soil resolved neither to pay tithe, tax, nor rent, they drove a stake before the house of the offending landlord who had refused to comply with their demand, and the house before which this stake stood had to be shunned. At the French Revolution, like practices were followed. When the peasants in the country combined against the landlord, they cut a cross upon the trees, or broke branches in the hedges. This acted as a warning. A man who lived near where such marks had been made was understood to be an enemy to the peasants, and he and his had to be avoided as a leper. In this country, too, when the artizans were engaged in a struggle, either to secure an advance of wages, or to resist a fall, like practices were followed. Every man acquainted with industrial disputes knew that the most potent agent of trades' combinations was the terror that always attached to black-legging. The system followed in Ireland was only black-legging in another form. He repeated that he was neither extenuating nor justifying the practice, but simply showing that the course the Irish peasantry had pursued was neither new nor novel. Even men in other walks of life were not unaccustomed to ostracize offending colleagues or associates. That House knew something of "Boycotting." He believed there was not a more generous Assembly of Gentleman in the whole world than the British Parliament. It sometimes became exasperated and excited, and in its exasperation it treated opponents hardly; but under normal circumstances the House of Commons was as fair a public body as any they had knowledge of. But even it could send a man to "Coventry," and keep him there. He would cite a case which was well known to Members of the last Parliament. There sat behind the Front Opposition Bench for five years a man of some eminence as a poet, of greater distinction as a scholar, and one who was not without ability as a lawyer. He espoused—unwisely perhaps, certainly unfortunately for himself—a peculiar cause; and in the advocacy of that cause he succeeded in making many enemies and raising much animosity. Although he was in the House he was not of it. His forlorn condition led him (Mr. Cowen) to establish some slight friendly relations with him. He remembered very well an occurrence that took place just before the Dissolution. The Gentleman to whom he referred—Dr. Kenealy—had risen from a bed of sickness to come to the House to move a Resolution that he had given Notice of. Immediately his turn came the House cleared, and he was too weak and discouraged to proceed. He met him going downstairs a beaten, broken, bankrupt man. The Member for Stoke recited to him what had occurred, and as he staggered into a cab he felt that the hand of death was upon him. Dr. Kenealy said he did not think it would be possible that the hostility of the House could produce the effect that it had done upon him. He did not say that the treatment of the House of Commons had hastened Dr. Kenealy's death; but what he did say was, that if an intelligent body like the House of Commons could "Boycott" one of its Members, they ought not to be so hard upon enraged Irish peasants "Boycotting" offending agents and unpopular landlords. The practice, under any circumstance, was unjust, and many times cruel; but when others besides Irish peasants resorted to it, they might show more consideration to men labouring under a sense of injury and exasperation. Depend upon this, the state of mind that led to the existence of "Boycotting" could not be removed by a Coercion Bill. It was impossible for such a measure to exorcise such a spirit from the people. If they had to eradicate "Boycotting" it would be by friendly counsel, by genial demeanor, and by beneficent legislation. Their coercion might confirm the practice; it would certainly not annihilate it. His objection to coercion, however, was the injurious effect it had upon the people amongst whom it was to be in operation. The indirect influence of such a Bill as they were now passing could not well be estimated. A general charge was made in this House and in this country that the Irish people were lawless. They were accused of having no regard for constituted authority. Perhaps there was some truth in the accusation; but the English Government was largely to blame for it. Law was sacred in the eyes of an Englishman, because it was systematically and constantly upheld and equitably administered. It was not sacred to Irishmen, because it was constantly broken by the Executive. During the 80 years the Union had existed there had been no less than 49 Coercion Acts—that was, the ordinary law of the land had been suspended over a greater or less area nearly 50 times during these years. What was the inevitable consequences of such a course of procedure? It was that the people lost their faith in law and their respect for it, as they knew and saw in their daily life that the Government could break it at their own will and pleasure. Law in England was not based upon the bayonet of the soldier or the baton of the policeman; it was founded upon a sense of confidence and trust in the authorities. Till a like condition of mind could be generated in Ireland, the lawlessness that they lamented would continue. It was because this Coercion Bill would help to perpetuate the present state of feeling that he resisted it. If they had gone on in the ordinary way, acting upon the Common Law, they would by degrees have overcome any illegal course that was being pursued; and the moral effect of such a line of action would have been felt beneficially for years hence. The Government said the measure was urgent, and they asked the House to trust them. This was the common demand of despotic rulers. He would not trust the Government if their Chief was an angel and his Colleagues all saints. He would not trust them for their own sakes, as well as for the sake of Ireland. The bare fact of their possessing this uncontrolled and unlimited authority would tempt them into excesses, and it was desirable for the wisest and best men to have reasonable restraints upon them. But even if they were disposed to trust them on the ground of their humanity and generosity, their doings within the last few days had rudely shaken popular confidence. Probably the meanest, cruelest, and most cowardly thing that had been done by an English Government in modern days had been done by the Government in arresting an honest Irishman, and re-committing him to penal servitude. He did not know of a single instance where a Ministry had used their powers in a harsher and more objectionable way than the Government had done in this case. The Prime Minister had once won deserved renown for the manner in which he had pleaded for the release of Neapolitan prisoners. All the encomiums that had been bestowed upon him for the honourable part he took in that transaction were deserved. But he begged to tell the right hon. Gentleman that he knew some of the prisoners who had been released from Italian dungeons in some measure through his interference. He had listened to the recital of their sufferings from their own lips. He also knew Mr. Davitt, and he was proud to say, in the presence of that House and the country, that he counted it a privilege to be able to call that convict his friend. He had also heard from Mr. Davitt a recital of the sufferings he had undergone in an English convict establishment; and he made bold to say that the treatment that had been meted out to this Irish Fenian was as severe as any that had been meted out to the victims of Neapolitan oppression. The Prime Minister might use his benevolent influence now to release a man whose case was equally deserving of his intercession. The right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright) was very angry with his hon. Friend the Member for Tralee (The O'Donoghue), when he instituted a comparison between the action of the Anti-Corn Law League and the action of the Irish Land League. The right hon. Gentleman repudiated the imputation that the body with which he was in early life so honourably associated had resorted to practices at all approximating to those that the Land League were accused of. The right hon. Gentleman, however, could not be accepted as an impartial witness. He was a friend of the Anti-Corn Law League and an enemy of the Irish League. He was prejudiced in favour of the one and against the other. If they wished to institute a comparison between the two bodies, they should bring as evidence the opinion of the English landlords and Protectionists—the men who stood towards the Anti-Corn Law League much in the same way as the right hon. Gentleman and his Friends now stood towards the Irish Association. But the case against the English League was not fairly met. Like all agitating organizations, its members were tempted into excesses, just as members of the Irish Society had been tempted. He would recall to the knowledge of the right hon. Gentleman a circumstance that seemed to have been overlooked. It was a fact that the Anti-Corn Law League bent all its energies to arouse the agricultural labourers against the farmers and landlords. They sent agents into the rural districts, and distributed there no end of Free Trade literature, with a view of raising an agitation in those benighted localities. One of the meetings organized at that time, and for that purpose, was held at a place called Goatacre. Perhaps the right hon. Gentleman knew to what he was referring? That meeting was held at midnight, and by torchlight. The men who went to it brandished their torches dangerously near the stacks of the neighbouring farmers and the houses of the neighbouring squires. At the meeting an English labourer made a speech in which he recited the amount of his wages and how he disposed of them. He told his audience how many pence went for bacon, and how many for bread. At the conclusion of his address a man in the crowd cried out—"And where do you get your firing?" The speaker replied—"I steals it, and I care not who knows it." The report of the meeting was circulated by the Anti-Corn Law League, and its proceedings adopted by their body. Now, he begged to state that, whatever the Irish Land League had done, none of its speakers had openly advocated stealing. They had urged the withholding of all rents until they obtained a reduction; but they had never deliberately proclaimed robbery from their platform. The right hon. Gentleman said he had systematically opposed coercion in that House. Some of the Bills that had been introduced he had spoken against, some he had voted against, but none had he supported. He could confound the right hon. Gentleman out of his own mouth. At the time one of the Coercion Bills was passed which he had opposed, there were committed in Ireland in one year 172 murders, in another 137 murders, and in another 176 murders. He opposed coercion when these crimes were committed, and he took credit to himself for having done so. Now, according to the statements of the Government of which the right hon. Gentleman was a Member, there were only eight murders in Ireland last year, and yet he supported coercion. One of two things—he was either wrong in opposing coercion when the murders amounted to 176 in a year, or he was wrong in supporting it when they amounted to only eight. He might take which horn of the dilemma he chose; but upon one or other, by his own admission, he must inevitably be impaled. He could well conceive what the right hon. Gentleman would have said if any Tory Government had proposed a Coercion Bill when the total agrarian murders in a year amounted to eight. How he would have lectured hon. Gentlemen opposite. The House knew his style. "You, you hereditary oppressors—grinders of the faces of the poor—with what conscience can you seek for such arbitrary authority in the midst of such suffering?" And then he would have turned to the Irish Members, and preached to them from the familiar and well-worn text — "Codling's your friend, and not Short." Gentlemen behind him who were now going to vote for a Coercion Bill would have cheered to the echo such statements and accusations. Those Gentlemen had no end of sympathy for people abroad. With them distance lent enchantment to the view. Their political telescopes enabled them to detect injustice on the other side of the globe, but prevented them discovering it at their own doors. They had a superabundance of sympathy for Boers, Basutos, and Bulgars; for Montenegrins, Ashantees, and Fijians; but they had very little sympathy, indeed, for the enduring efforts after national life of a people renowned in the archives of history, and whose memorials were traceable into antiquity by their virtue, their valour, and their suffering. The Government were refurbishing, with all the energy they could command, the rusty instruments of political oppression and torture. This hateful apparatus would break in their hands, as it had broken before, and wound them. The Government were too fond of coercion. They were coercing the Turk, coercing the Basuto, and now they wanted to coerce the Irish. They had coerced the constituencies by their caucuses, and coerced Parliament by their *clôture.* Ministries in the past had earned for themselves nicknames. There was "a Broad-Bottomed Ministry;" there was "a Ministry of All the Talents;" and, somewhat significantly, there was "a Short-Lived Ministry." The present Government, if they did not alter their course, would be known in history as "the Ministry of Coercion."

Mr. RITCHIE said, that whilst he agreed with much that had been uttered by the hon. Member for Newcastle, there was a good deal in which he could not agree. The hon. Gentleman had pointed to the fact that agrarian crime had diminished; but it did not seem to have occurred to him that Parliament, being called together to consider the state of affairs in Ireland, was the very reason why that agrarian crime had diminished. He had also found fault with the statistics. It was true that these might not be, in many respects, such as they would have desired; but the case for the Bill did not rest entirely upon the statistics, and, indeed, if the compilers had merely wanted to "make out a case," as the hon. Member had suggested, they could easily have achieved that purpose much more effectually. But there had been statements from the Bench, from hon. Gentlemen who had boasted in that House that the Land League was paramount in Ireland, and from Ministers of the Crown; and it was not to be supposed that right hon. Gentlemen did not bitterly regret the occasion which compelled them to frame such a monstrous indictment against their own rule. He himself, as a Member of the Royal Commission on Agriculture, had had an opportunity of making himself acquainted from other sources with the state of things in Ireland. He had no hesitation in saying that the evidence he had heard had convinced him that the state of affairs was as serious as anything that had been reported. Professor Baldwin, who, with Major Robertson, had been appointed Assistant Commissioner to the Agricultural Commissioners, had not disguised the great sympathy he felt with the peasants of Ireland, and his testimony was, therefore, of additional value; but even in July, the first time he went before the Commissioners, he had stated that the condition of affairs in Ireland was hardly paralleled in his experience. In December the aspect of the country had grown to be such that he had said—

> "If you want to prevent a revolution, it is absolutely necessary to legislate on the question;"

and then—

> "If there is nothing done in the way of legislation in the spring of 1881, the available forces at the disposal of the Queen may not be sufficient to keep the peace;"

and, finally—

> "Unless something is done, I should not be surprised to see an organized attempt to destroy landlords."

Professor Baldwin was, at one time, of opinion that any legislation adopted should be of a remedial character; but when he was before the Commission in December, he was strongly of opinion that while he would like to see both remedial legislation and coercive legislation brought in, the coercive could not wait for the remedial measures, though he wished both to be introduced at once; and in this expression of opinion Major Robertson had agreed. He (Mr. Ritchie) was not astonished that so many Members of that House had urged the introduction of remedial before coercive measures. There had been speeches by responsible Ministers of the Crown which very naturally led them to take up that ground; and he himself had read utterances in which it was laid down that the true remedy for this state of affairs was not force, but remedial legislation. But nothing could be more detrimental to law and order than to advocate any such doctrine. When law and order had been restored, he would gladly support the Government in applying any remedy which might be just to the present condition of Ireland; but to say that the restoration of law and order should be contingent on the passage of any legislation whatever, seemed to him to strike at the root of all law and order. He could not admit that the Irish tenant now groaned under an oppressive law. He granted that, in many cases, the law was, perhaps, strained — unnecessarily and greatly strained—and by that much misery was entailed on the peasant occupier. But it was not the fault of the law. When the Land Act of 1870 was before the House, they were told that if that Act passed the tenant would be placed on a footing towards his landlord which was hardly equalled, and not excelled, by that of any tenant-farmer in the world. When the Commission sat in Dublin, the demands of the Land League were comparatively small. They stated that their programme was what was commonly known as the "three F's." But things had advanced very much since then; and the League now demanded that the land should be retained by the tenant-farmers at a rent which should not exceed Griffith's valuation. Now, although the Agricultural Commissioners were divided on some points, they were unanimously of opinion that any legislation based upon Griffith's valuation would simply be the grossest act of robbery ever sanctioned in any civilized country. [An hon. MEMBER: It is too much.] Griffith's valuation was founded on the prices of produce at the time it was framed. Those prices were—butter, 7½*d.* per lb.; beef and mutton, 3½*d.* per lb.; and pork, 2¾*d.* per lb., and it was no exaggeration to say that those prices had now more than doubled. He asked the hon. Members below the Gangway this question. Supposing he undertook to let them the grass lands of Ireland at Griffith's valuation, would they undertake to supply him with the produce of that land at Griffith's prices? They would have nothing to do with the amount he would pay, in the first place, for the land; and as to the increase in the cost of labour, he would have no objection to pay that excess as well. He had put this view of the case before witnesses who had attended the Commission; but, after consideration, they had declined to make any such bargain. Although he was prepared to vote for the Bill, he would do so with considerable reluctance. He did not suppose that a more severe measure had ever been introduced into the House; and he believed that, although not altogether, yet, in the main, it was the fault of the present Government that had rendered it necessary for the House to pass that repressive legislation. If the Government had taken the advice of all those who were competent to advise them when they acceded to Office, and, instead of catering for a little cheap popularity, had asked for the renewal of the simple and inoffensive Peace Preservation Act, he believed they would not now be in the humiliating position of proposing such a stringent Coercion Bill. Moreover, the Government had been, to the last degree, remiss in putting the ordinary law in force. He could understand people coming forward and saying—"Oh! the Government were not a little unwilling to see a little agitation in Ireland in order to make a smooth way for their Land Bill," although he should be sorry to say he believed that to have been really the case. The Prime Minister had told them that the Land meetings were a great source of agrarian crime, and yet no attempt had been made to prohibit them until agrarian crime had risen to an enormous and alarming extent. There were many ways in which the Government might have shown some vigour and determination, for that was all that the peaceable people in Ireland wanted; but, instead of that, they saw weakness and vacillation on every hand. The peaceable people could do nothing themselves, but were left to throw themselves into the hands of the Land League, whose power had become paramount. He believed that a repressive measure had now become absolutely necessary, although he expressed a hope that, in Committee, the Government might find it right and possible to assent to some modification of the extreme stringency of the provisions of the Bill. He should be disposed to support them as the responsible Ministers of the Crown if they could not see their way to agree to some such modification; but he desired to be distinctly understood as holding them answerable for the present position of Ireland and for the necessity of introducing that measure.

Mr. T. D. SULLIVAN said, that he had been an attentive listener during the course of the debate, and he was much struck with the weakness, not to say worthlessness, of many of the arguments adduced in support of the measure. On the previous night an hon. Member had argued that the Bill could have no terrors for honest men; that it would not touch these or innocent men; and that it would affect only the evil-doers and the workers of mischief. He distinctly challenged that opinion; and believed that the Bill had terrors for honest and innocent men, many of whom would suffer under it. But any argument was supposed to be good enough when it was a question of coercing Irishmen. Under a Coercion Bill in England many of the police might arrest habitual criminals; but the people of England would not tolerate that course, because the liberties of the people would be thereby imperilled. More than one hon. Member had said they might trust to the good sense, consideration, and tender mercies of the Chief Secretary for Ireland to see that this Bill was not unfairly applied. Why not apply the same rule to England? But the people of England, if England were subjected to a Coercion Bill, would not trust the enforcement of it to the good sense of the Home Secretary. But an argument that was regarded as good enough to apply to Irishmen and Irish liberties would not be listened to in the case of Englishmen. He was aware that he and those who thought with him were arguing against a foregone conclusion. Hon. Members on his side of the House had over and over again declared with more or less diffidence and misgiving their intention to support the Government; but still it was his duty to contend against what was not only a restrictive, but a tyrannical measure. That duty they were bound to discharge, and they would to the best of their ability. They had to discharge it, too, at some peril; because the Irish Members were somewhat in the position of Irish tenants—they had been evicted, but re-admitted as caretakers. Their tenure was gone; they were now tenants-at-will, liable to expulsion at a moment's notice. They could remember this, at all events, that even if that be so, hon. Gentlemen on either side of the House need not flatter themselves that they were in any better position. The case of the Government for this Bill had utterly broken down. It had been examined and proved to be a matter of very small account. The Returns, as had been shown over and over again, comprised a majority of threatening letters. Take that, however, out of account, and no doubt some excess remained; but crime in Ireland week by week grew small by degrees. What was the ground on which urgency was claimed for this measure? To his mind the only reason for the pressing forward of this Bill was a fear that if its passing were delayed there would be no agrarian crime in Ireland on which to support the Bill. Did hon. Members forget that when there were agrarian troubles in England there were agrarian crimes of a most serious character in England, and that the oppressors of that day were not shot, because guns and powder did not then exist, but were shot with bows and arrows or mutilated with knives? Yet, in view of such facts, the Irish people were insulted in that House night after night. The Prime Minister, in a recent speech, argued that these agrarian crimes did not follow eviction, but were the consequences of meetings of the Land League. To ask that House or any other Assembly to believe that was to ask too much. The right hon. Gentleman had compared evictions to sentences of starvation and death. Could anyone believe that the Irish tenant who had been evicted knew nothing about his sufferings until the

Land League had held a meeting in his neighbourhood? The Land League meetings had not led to outrages. He had been present at many Land League meetings, and at every one of them he had heard crime and outrage scouted. There was hardly a meeting held throughout the length and breadth of Ireland during the course of this agitation at which some speaker did not denounce crime and outrage. At several of those meetings clergymen were present; clergymen took the chair, and they almost invariably spoke strongly against the commission of crime and outrage and immorality of every sort, even against little disturbances among the people themselves. They urged that the meetings should disperse peaceably; that the people should not go into the public-house; that they should do nothing which would bring discredit on their cause. He was present at meetings at which clergymen were not present; and on those occasions he himself advised the people in that sense. As to the sequence of outrage upon the meetings of the Land League, he wished to remind hon. Members that the dark designs of vengeance took some little time to mature. It was rarely that the eviction was quickly followed by the shot—months, and in some cases years, elapsed before vengeance reached the oppressor. He, therefore, contended that it was utterly false and misleading to argue because a number of these agrarian outrages came nearer in point of time to the Land League meetings than to the evictions, that, therefore, these outrages were occasioned by the Land League meetings and not by the evictions. The Fenian movement in America was the return blow for evictions which had taken place years, perhaps a generation, before. It was in that way that men born in America endeavoured to wreak their vengeance on those who had oppressed their fathers and mothers in Ireland in bygone years. The Right Rev. Dr. Lynch, the Bishop of Toronto, had published a letter on the Irish question addressed to the people of Canada, and in it he said that the Irish Americans burned to revenge their fathers' wrongs in that way; and stated that it had been said that the Irish people were more or less than human to bear the treatment they had done, and that they deserved all they got if they were slaves enough to bear it. It was said that the Land League had an unwritten law, and these words were expected to create great effect upon the people of England; but what was this unwritten law? Was it anything very terrible or not? The words "unwritten law" ought not to have such an alarming effect in this House or elsewhere. There were unwritten laws in every society, even in the House of Commons, and the British Constitution, of which they heard so much in Ireland, but of which they saw so little, was in itself an unwritten code. What was this terrible unwritten law of the Land League of which hon. Members had spoken with such dread? It merely went to the extent of saying that no Irish tenant farmer was morally bound to pay to his landlord a rack-rent which left himself and his family in a state of starvation; and that, considering that the great competition for land in Ireland had been the cause of forcing up the rents in Ireland, it was desirable, for the welfare of the country, that farms from which the tenants had been evicted for the non-payment of unjust rents should be left upon the hands of the landlords; and that these rules should be carried into force not by means of private outrage, but by the force of public opinion. These were the unwritten laws of the Land League, and he declared his intention to abide by them here or elsewhere. But they were to have coercion. If there was any virtue in coercion the Irish people ought to be the most law-abiding people on the face of the earth, for during the last 100 years there had scarcely been a year when there had not been some Coercion Act passed regarding them. In 1802 there was a suspension of the Habeas Corpus Act; in 1806 there was another suspension, which was followed in the years 1823, 1838, 1849, 1856, 1868; and now in 1881 the same thing occurred again. Surely this system of coercion had been tried enough, and these oppressions of the Irish people could not pass lightly over their hearts, even though beneficent and speedy remedial legislation followed.

MR. ARTHUR O'CONNOR, in opposing the Motion, said, that on a previous occasion he had complained of the statistics of crime, on which the Bill of the Government was based, that they were not compiled on the principle which was followed when Mr. James Lowther occupied the position of Chief Secretary to the Lord Lieutenant. Exception was taken at the time to his statement, and he had, therefore, felt it necessary to make more careful inquiry into the facts. The result of his examination had been to confirm him in his view, that while the last Government, which had not agrarianism on the brain, furnished Returns in which the crimes committed were properly classified, the Returns now laid before Parliament attributed almost every crime committed in Ireland to agrarianism; and, furthermore, split up almost every crime into two or more divisions, counting each division as a separate offence. But even admitting, for the purposes of argument, that the statistics of the Government were trustworthy, he denied that they were of a character to justify the present application of the Government. He found that the number of crimes committed in the three countries for a normal year and for an equal population was as follows:—Ireland, 3,842; England, 4,767; and Scotland, 6,487. With all their eagerness, the Government were only able to make up a total of 2,590 agrarian offences all over Ireland in 1880. When it was considered that Ireland was a purely agricultural country, and that nearly all the interests and property in Ireland were agricultural, it was very natural to conclude that the great majority of offences other than those purely personal would have relation to agricultural interests or property. While crimes of an agrarian character numbered 2,590, crimes of a non-agrarian character numbered 3,084. It was thus evident that there were more crimes of a non-agrarian than of an agrarian character. It was admitted that Ireland contrasted favourably with other countries in respect of normal crime, and, therefore, it might be claimed that the 2,590 agrarian offences were not sufficient to justify the Government in seeking for exceptional powers. The total number of all offences for all Ireland was 5,674; and, for an equal population in an equal period, England produced 4,767 offences of a very serious kind, and Scotland 6,487. If Ireland produced only 5,674, in an exceptionally bad year, why was not special legislation proposed for England and Scotland? The Chief Secretary, finding that he was not sustained on a comparison of statistics, said he would take his stand on another argument, and it was that the cases in Ireland might be shown to be much worse by counting the numbers engaged in them. This test might be accepted if it were to be applied equally on both sides of the water. Let it be applied to the disturbances in Durham and in South Wales, or to the riots in Lancashire, were 20,000 offences were committed in one day, according to this method of calculation. The right hon. Gentleman sought to excite the passions of hon. Members by dwelling on individual cases, in which, undoubtedly, a great deal of barbarity had been displayed; but Ireland need not fear the application of that test, for it would be easy to pick out from the records of English criminality five or six instances of brutality and ferocity for every one committed in Ireland. On Sunday, in the Bayswater Road, he met with a miserable object—a man, whose eyesight had been destroyed by three youths holding his eyelids open for half-an-hour. When the number and the character of the offences failed to prove his case, the right hon. Gentleman fell back on his second line of defence—the paralysis of law in Ireland. It might be admitted that the law was, to a great extent, paralyzed in Ireland; but it had been frequently paralyzed in England, and that was one of the means by which our liberties had been established. When death was the punishment for sheep-stealing, the prosecutor would not come forward, witnesses would not give evidence, and juries would not convict. Their consciences revolted from giving effect to the law, and it had to be altered. The brightest pages in the history of England recorded the stand made by English juries in favour of the liberty of the Press. The history of the law of libel was a record of the refusal of juries to find verdicts, because law was on one side and justice on the other. Again, many women who were committed for trial on charges of infanticide were found guilty of concealment of birth. The reluctance of juries and witnesses in Ireland was paralleled by instances which were looked back upon with pride in the history of English law; and the present state of things in Ireland was intelligible when thus read in the light of English history. The right hon. Gentleman had advanced another argument; he insinuated that the Government had discovered a rebellious organization or conspiracy, and everything that could be done was done to support that idea. He (Mr. O'Connor) however, did not hesitate to express his opinion that the whole of the present scare had been deliberately concocted with the intention of embittering the minds of the people of England against the Irish people and their Representatives in order to strengthen the hands of the Government in carrying their measure of coercion. The fact that a placard was posted in many places was in itself only an evidence of extensive organization. He did not believe that the Government had the least ground to believe that there was any conspiracy or sedition on foot. Their emissaries had been endeavouring to get possession of the minute-books of the Home Rule Confederation; if there had been anything of a treasonable character in their intentions or movements, he felt confident he should have had some hint of it; but he declared upon the word of an Irish gentleman he did not believe that such an organization, or anything like it, existed. He admitted there was a very considerable and lamentable increase in a certain class of crime in Ireland; but he denied the statement of the right hon. Gentleman that the increase was to be attributed to the extension and development of the Land League. There was no direct connection between the Land League and the outrages. At the same time, he believed there was an indirect connection between them, inasmuch as both outrages and meetings were produced by the inhumanity of the landlords. An increase in the number of evictions led to an increase in the outrages, and also to an increase in the meetings of the Land League. The inhumanity of the landlords increased, step by step, with the misery of the people. It was distressing to have to speak on this occasion. A sense of unreality pervaded the House at that moment. One might as well bay the moon as address the House. The Government were not prepared to listen to argument. They were perfectly deaf to every appeal, and so were the majority they commanded. He had no hope of being able to influence the Government. What they had said they would carry out. But although the Irish Members might not be able to avert the outrage about to be put on their country, they would have the satisfaction of feeling that, in circumstances of exceptional difficulty, they did their best according to their belief in defending the sacred cause of the rights and liberties of their country.

THE O'DONOGHUE said, that they had now reached the stage when it became their duty to consider the principle of the Bill; and it might be stated to be a substitution in Ireland of arbitrary powers for Constitutional freedom, and the removal of all the safeguards of that individual liberty which the wisdom and experience of generations had enabled them to obtain. If this Bill passed, the Lord Lieutenant and the right hon. Gentleman the Chief Secretary for Ireland would have power to lock any man up for the next 18 months. No defence would be permitted, and the public would know nothing about the matter, except what could be gathered from some second-hand statement with which they might be favoured by the Chief Secretary. Persons in the position of the right hon. Gentleman must, to a great extent, be dependent upon the information supplied by others. But the position of the right hon. Gentleman was peculiar. He was a complete stranger to Ireland, a mere novice in Irish politics, and in all matters relating to the land movement he was dependent for information upon sources utterly unreliable and corrupt. In every case he would be advised to arrest, either by magistrates paid or unpaid—and they were all of the same kidney, having, as they thought, a direct interest in the suppression of public meetings and the punishment of agitators—or by the police, who would be set in motion by the magistrates. In the exercise of their most ordinary Constitutional rights, the Irish people would feel that they were not safe, that they exercised them at their peril in attending public meetings, in writing to the Press, in advising with their neighbours as to the course they should take. They would feel that they were watched by officials predisposed to misconstrue their every act and their every word; and that nothing stood between them and imprisonment but the remote chance of the Chief Secretary taking a different view from those who would endeavour to control his judgment. Whenever a measure of coercion was introduced, an attempt was made to reconcile them to it by saying that the rights of individuals must be sacrificed to the public good. He admitted that as a general rule; but denied its application to the present condition of Ireland, where the Government were going to sacrifice the inalienable rights of the people to enable landlords to assert prerogatives which had no moral sanction and could only be asserted by a resort to the most intolerable tyranny. The Irish landlords asked for this Bill, and the Irish nation protested against it. The landlords asked for it in order that they might use it for the purpose of extorting rack-rents from the tenants—a process which would fill their pockets and reduce millions to penury and starvation. It might be said that the action of the Government was prompted by the extended organization of the Land League. What was the object of the League? Why, to secure the firm possession by the tenants of their holdings, and to prevent extortion by the landlords. What was the object of this Bill? It was to facilitate the collecting of rents by the landlords, when all Constitutional action on the part of the tenants and their friends would be suspended. It was clear that the Government had been looking back to the precedent set in 1845 by Sir Robert Peel, whose Coercion Bill was called a Bill for the Protection of Life, while the Bill of the Government was called a Bill for the Protection of Person and Property. But the peculiarity of this Bill was that it would hand over to two officials—the Lord Lieutenant and the right hon. Gentleman—both of whom knew nothing of Ireland, the lives and government of the Irish people. They would be the decrees of the magistrates, who in all matters relating to the land movement were not to be trusted. The magistrates in the district in which he resided were literally furious because they could not now do as they formerly did. The fact was, that in all questions arising out of the land movement the people of Ireland had lost all confidence in the magistrates. The provisions of the Bill would be worked by the police, who would be set in motion by the landlords —that is to say, the magistrates—to whom the Government were going to entrust the liberties of the Irish people, and no land meetings would be allowed on the ground that, if they were, rents would not be paid, and therefore they would interfere with the rights of property. The other night the Prime Minister almost smiled at his simplicity in thinking that Irish Members should get assistance from the Liberal Party in resisting the Bill. The Liberal Party had always calculated on the support of Irish Members in passing any measure for the benefit of England; and, therefore, they ought to carry out their often-repeated promise of establishing equality of rights in every part of the United Kingdom. The House would see how much the Irish magistrates would have to say to the Bill; and, therefore, he would urge upon the House, and especially upon the Liberal Party, to deprive those magistrates of all power to interfere with public meetings which was not allowed to magistrates in England. In Ireland, two or three magistrates might conspire to deprive the people of the right of meeting. In England, when a riot was expected, the magistrates could proclaim the meeting; but if no riot occurred the proclamation became a dead letter, and no action could be taken upon it, because it could not be held that there had been any breach of the law. That was the state of things they wanted to see established in Ireland. He would also refer to the construction placed upon the Bill by the Prime Minister. That construction was, of course, the authoritative one. The right hon. Gentleman spoke of the inaccurate conception which, he said, had been formed of the Bill by Gentlemen below the Gangway. They had spoken, he said, as if the Government were legislating to prevent agitation, to prevent the expression of popular discontent, to put a stop to the free discussion of grievances and the criticism of the existing state of things. The Bill, according to the right hon. Gentleman, was not directed against the Land League. The Land League could not be touched unless it was the means of the perpetration of outrages or abetted them. The Bill did not interfere with the liberty, or even with the licence, of discussion. It did not even interfere with the utterance of the most subversive of revolutionary doctrines. It might not only recommend changes in the law, but, within certain limits, positive breaches of contract. It was a liberal state of the law which allowed men to go to such lengths as those. He would ask the House to pay particular attention to that language of the Prime Minister, which meant that the Land League had an undoubted right to advise the Irish tenant not to pay rent if they thought those rents were too high—not to endure rack-rents. But that was just what the Land League had been doing—what the tenant farmers had been doing. It was what both would continue to do. The Land League never had a doubt that its position was unassailable; but they, nevertheless, rejoiced to be supported by such an authority that their conduct had been within the limits allowed by law. Following the advice given by the hon. Member for the City of Cork (Mr. Parnell), they would continue to bring the passive resistance of a united people to bear upon the crying injustice of which the Irish farmers were the victims. The right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright) had repudiated any parallelism between the Anti-Corn Law League and the Land League. But he contended that there was the greatest similarity between the two. The Anti-Corn Law League was directed against the territorial class on account of the injuries which they inflicted on the farming and labouring classes. So was the Land League. They kept, however, within the law. So did the Land League. If in Ireland there had been exceptional circumstances, they were of English creation, as Parliament had rejected the wishes of the Irish people. The Prime Minister had thought fit to speak of trades' unions as marking an onward step in the love of law and order on the part of the working classes of England. Now, he (The O'Donoghue) might state at once that trades' unions had his entire sympathy. He believed them to be absolutely necessary for the protection of the operative classes, and it was far from his wish to charge them with any illegality. There was, he contended, a complete analogy between the action of trades' unions and that of the Land League, and that analogy consisted in an identity of the objects pursued, which was to provide adequate means of living for their members. Trades' unions gained their object by obtaining higher wages, and the Land League by providing for the tenant a lower and more reasonable rent. Much had been said with regard to the Law of Contract; but how often had trades' unions called upon the operatives when they had engaged to work for a certain rate of wage to leave their employment until their wages had been raised. The Land League, while denying that there was anything that could be called contract in the proper sense of the term, did not hesitate to advise tenants to discontinue paying rents which were too high, and not to give the landlord any rent unless he chose to accept what was fair. It was beyond the ingenuity of the Prime Minister to show that the analogy was not a fair one. The right hon. Gentleman said that trades' unions marked an advance in the history of this country. He must apply the same language to the Land League. He would remind the Government that they had recognized the fact that the tenantry had a property in the soil—that there was a partnership between the landlord and the tenant. The complaint of tenants was that they were not getting their fair share of the profits—that, in fact, they were being robbed—and they called upon those who were responsible for the welfare of Ireland to step in and say that right should be done.

MR. LODER observed, that the speeches that had been delivered since the Motion for the introduction of the Bill before the House showed that there existed a large preponderating opinion in favour of the measure. He protested against the way in which the time of the House had been consumed by hon. Members below the Gangway, who represented about one-eighth of the constituency of Ireland, and the persistent manner in which they tried to prove that this Bill was not necessary. They rested their arguments almost entirely on the Returns in the Blue Book of agrarian outrages, which they said were exaggerated, because they were furnished by the Constabulary, who were as tainted by prejudice as the magistrates. He (Mr. Loder) could not conceive why the magistracy in Ireland or the Constabulary were less reliable than they were in England. Those Returns, hon. Members must remember, were not made up for the occasion; they were Returns annually furnished to the House of Commons. They were not cooked up for the occasion. They were, however, very instructive in one way. They seemed to point at the influence for good or evil which hon. Gentlemen below had with their constituents. In April, 67 outrages were recorded; in December, 866; and in January, 439. He (Mr. Loder) thought he was justified in deducing, from these figures, that the greater the number of meetings the greater were the number of outrages. It was in October, November, and December that the hon. Gentlemen were more frequent in their attendance at Land League meetings, and as they were engaged in that House in January, both meetings and outrages fell off alike in number. There was another reason why the latter had fallen off. It was that Bill, and the fear of its operation—more especially the retrospective part of it. And there was one more reason—it was that there was no temptation or cause to commit outrage. Process-servers had lost their occupation, they dared not serve notices; agents dared not collect rents; tenants who could and would pay, dared not pay. They held their rents unmolested, and the landlords awaited the time when the law which was now dormant might, by this Bill, be active once more to protect their property and the lives of their dependents. The hon. Member for Tralee (The O'Donoghue) had just stated that the Bill was a Bill to collect rack-rents, by which term he (Mr. Loder) supposed the hon. Member meant unfair and oppressive rents. He chose to forget that the Government had promised to bring forward remedial measures dealing with the Land Law in Ireland. If that Bill was worth anything, it must do justice to the tenant as well as the landlord. The hon. Member for New Ross (Mr. Redmond) had also just stated that the Irish were a law-abiding and God-fearing people. He (Mr. Loder) joined issue with him, and wished to protect them, and therefore supported the Bill. They were told that shooting at persons and at houses, houghing and maiming animals, firing homesteads, "Boycotting" and carding, were within the reach of existing laws of the country, and there was no necessity for suspending the Habeas Corpus. But law in Ireland was declared by the Government and the Judges to be impotent. Evidence could not be obtained—juries dare not convict—felons went unpunished. But there was an unwritten law. There was a fear and a terror of the Land League Courts, their edicts and their punishments, sure and severe. It was at this law, these courts, and these edicts that this Bill was aimed, and to which he proposed to give his cordial support, for the better protection of the law-abiding and God-fearing people of Ireland. Was it to be tolerated that the Executive should shrink from the execution of its duty and should abrogate its functions in favour of an irresponsible and self-elected confederacy? The hon. Member for Wexford (Mr. Healy) boasted the other night that the Land League, of which he was a member, had knocked the law of the land into a "cocked hat." That was true; but was it to remain true? But what was behind all this? He (Mr. Loder) did not believe that it was the Land Question. The Land Question was the catspaw. Opportunity had been taken of the depression of the times; a bribe of non-payment of rent had been held out, men had been got to unite on this subject; but it was to be used as a lever for something of far greater importance—namely, the disintegration of the Empire, which England could not and would not permit. Ireland required rest and peace; peace and quiet would bring confidence, and confidence capital for improvements. As regarded the retrospective ingredient of the Bill, his view was that treasonable speeches which led to a breach of the law would be difficult to decide by individual cases, but not from concurrent action and from antecedents. A man might make an ill-judged statement once, it might be unpremeditated, or else so considered; but a persistent repetition would made that statement criminal. He wished to see a stop put to that fever of agitation, and that without loss of a single day or hour. Agitators should be made to reflect and look back on their past conduct before they committed themselves again. They must not be allowed to begin their course as with a fresh lease, but be made answerable for their former acts, if they thought fit to repeat them. The object of that Bill was not coercion, but protection; and the sooner the people of Ireland were made to feel that their lives and their property was safe and secure, the better it would be for them and their unhappy country. He should, therefore, vote for the Bill without hesitation.

MR. GOURLEY said, that notwithstanding the able speech which had been made in favour of the Bill by the Prime Minister, and notwithstanding the able speech made in introducing the second reading by the Chief Secretary for Ireland, he could not see his way to support so extreme a measure, believing it to be unnecessary. Notwithstanding what had been said by the right hon. Member for Halifax (Mr. Stansfeld) yesterday, he regarded the measure as a thoroughly despotic one. It gave the Lord Lieutenant of Ireland and the Chief Secretary more absolute powers than the Emperor of Russia had given to the Chief General of the Police in that country to put down the Nihilists, and he had failed to learn that secret societies of the nature which had flourished in Russia existed in Ireland. The Bill sought powers equal to those exercised in days gone by by despotic Monarchs when they crowded their dungeons with innocent victims. It was a strange thing to him that a statesman of the ability and possessed of the high and noble qualities of the Prime Minister, who had at various times lifted up his voice on behalf of the oppressed Nationalities of South-Eastern Europe, should own support so extraordinary a measure to deal, not with foreigners, but with his own fellow-countrymen in the Sister Island. He could not help feeling that the Premier had been driven against his own judgment to support such a measure. He hoped the right hon. Gentleman would even now pause in his course, and introduce a remedial measure before proceeding any further with the Bill before the House. The main reason for introducing the Bill appeared to be the existence of agrarian offences which the existing law was alleged to be unable to cope with; and the Premier and the Chief Secretary had both endeavoured to show that the crimes remained unpunished because of the action of the Land League. But as the number of evictions lessened the crimes decreased, and there was no doubt that the action of the League had decreased the number of evictions. When the Compensation for Disturbance Bill was thrown out by the House of Lords, right hon. Gentlemen sitting on the Treasury Bench had predicted that outrages would follow in all probability. But they did not then charge the Land Reformers with being likely to prevent the perpetrators of outrages being brought to justice; but, on the contrary, charged the responsibility for a possible increase of crime upon the action of the House of Peers. He had been at a loss to understand why Ministers had exercised so much mystery with regard to their Irish Land Reform policy. He felt driven to the conclusion that the Ministers could not have a policy. One of the charges made by the Members of the Government against their Predecessors in Office was that they kept their intentions too much in the dark. It appeared to him that now they were in power the present Ministers adopted the same line in their domestic policy that the late Government did in their foreign policy. They were not acting fairly to the Liberal Party in keeping them so long in the dark as to the nature of the remedial measure they contemplated bringing before the House. They acknowledged the measure to be necessary, but declined to say what kind of one it was to be. He advised Ministers before they went any further to take Parliament into their confidence, and to tell them what they intended doing to put an end to the dissatisfaction and alleged disorder in Ireland, as they admitted that coercion alone was not sufficient. The statistics which had been placed before the House with regard to agrarian and non-agrarian crime did not sufficiently prove to his mind the necessity of passing a Bill to deprive 5,500,000 of their fellow-subjects of their liberties. The liberties of all these people were to be placed in the hands of the miserable 12,000 police who existed in Ireland, and who had hitherto failed in a right and energetic performance of their duties. In his judgment, the liberties of the people of Ireland ought not to be placed in the hands of men of that stamp. On examining the statistics with regard to agrarian crime, he found the Return tediously swollen with threatening letters signed "Rory," evidently intended to hoax. A number of the offences had arisen out of family quarrels which had existed for two or three years, and, in one particular case, for nine years, and these could not be termed agrarian crimes arising out of the Land League teachings. The ordinary law was sufficient to deal with such cases. The feeling which had prompted the asking for such extraordinary powers appeared to him to be an anxiety to lay hold of the leaders of the Land Reform agitation. If this was not so, he could not see the reason for the retrospective clause. He regretted that he should be obliged to oppose the Government; but he had as yet heard nothing which would induce him to vote for this Bill. If he were to vote for it he should be acting in a manner which he should consider to be hard, arbitrary, and monstrous against those of his fellow-countrymen who had the misfortune to be designated Irishmen.

Mr. O'SULLIVAN would oppose the Bill because it would destroy all liberty in Ireland, inasmuch as the freedom of every man would be at the mercy of the mere suspicion of the vindictiveness of any constable or other informer in the country. As to the state of crime in Ireland, he maintained that the condition of the 5,000,000 of her population as to crime would favourably compare with that of any country in the world. The other day he read in *The Standard* an account of the crime of one district in one county in England, which showed that in that limited area there were no less than 14 cases of murder in one year, besides other offences; whereas in the whole of Ireland there were only 14 cases of murder. He believed, however, that the repression of crime was not the real object of the measure, but the imprisonment of the leaders of the Land League and the protection of the landlords while extorting rack-rents from their unfortunate tenants. The question of coercion was not one of today or yesterday. The late Lord Stanley, speaking in Ireland in 1844, said that the remedy for distress and discontent was not emigration or coercion, but a system by which a tenant might be able to invest his labour and capital in the land. He (Mr. O'Sullivan) thought that was clearly what was wanted in Ireland, and not a Coercion Bill. The real remedy was a comprehensive and just settlement of the Land Question. Coercion Bills had been tried over and over again, but every time they had proved a complete failure. Corporations, Boards of Guardians, and Town Commissioners had passed resolutions condemning such a measure. As long as Irishmen were treated unjustly they would be discontented; and, in his opinion, the great difficulty England had in governing Ireland was in not properly appreciating that fact. If they took an ordinary Englishman and beat him unjustly, but showed him clearly that they were able to beat him, he would go away quietly and not resist it in the least. ["Oh, oh!"] It was a well-known fact. If he could not resist effectually he would turn round and beat a weaker brother or his wife. But, on the other hand, if an Irishman were beaten unjustly he would return blow for blow if he could; and if he were unable to do so he would even pull his opponent down under the water, although, at the same time, he might destroy himself. There was no people who loved justice more than the Irish; but when treated unjustly, they resented it in every possible way. The Irish Members believed that this was a wanton and unjust measure, and that it was their duty to take every means in their power to defeat it.

Mr. MACLIVER pointed out, in reply to those who said there was no necessity for the Bill, that if there were no offenders there could be no sufferers. He thought that hon. Members from Ireland, when the accuracy of the Police Statistics was contested, could not fairly say, "So much the worse for the facts." Surely they could not deny the facts that had been adduced by the Chief Secretary and the Prime Minister? Hitherto no Irish Member had accounted for the circumstance that the extraordinary increase of agrarian crime had directly corresponded to the growth of the Land League; and it would be well if those who spoke of the wrongs of Ireland addressed themselves to an explanation of this fact. Representing an English constituency, he had as strong a desire to maintain the liberty and freedom of Ireland as any Irish Member; but he felt, in common with the great majority of hon. Members of the House, that the Government were justified in asking for exceptional powers to enable them to suppress crime and protect life and property. At the same time, the Bill would not have received much support from that side of the House but for the conviction that it would be accompanied by a measure of a truly remedial character.

Mr. DALY felt that it was his duty to record his protest against the measure under the consideration of the House, and to complain of the uncandid manner in which it had been introduced by the Chief Secretary. Could it be accurately said that its coercive provisions were all contained "in one clause, and that not a long one?" He further protested against that measure because they were all perfectly aware that in similar circumstances no English Minister, however eminent, would have the temerity to introduce such a Bill for England. He also complained that the introduction of the measure had been accompanied by circumstances tending to create prejudice against the Irish Members, and to deprive them of fair play. Last week there had been an unusual and unnecessary array of police, constables in the Lobby and the other approaches to the House; and he regretted that the Government should have thought fit, in order to influence the public mind, to resort to those theatrical displays of force, as though violence were really apprehended. Such expedients were decidedly unfair, and militated seriously against a calm and dispassionate consideration of the question at issue. Again, the retrospective clause in the Bill would be fatal to the measure if the matter were dealt with impartially. What was to be the limit of time before the passing of the Act within which the alleged offences for which men were to be arrested and imprisoned without trial must have been committed? Was it to be 5, 10, 15, or 20 years? The Chief Secretary for Ireland had declined to give his reasons for asking Parliament for some of the extraordinary powers which he now demanded. Surely in no free country should any Minister be allowed to take away men's liberty without stating the ground on which he sought for such exceptional powers. With regard to the precedent which the Westmeath Act of 1871 was said to furnish for the present Bill, he maintained that the two cases were in no way analogous. In 1870 there were four murders committed in Westmeath, and seven murders attempted, while an organized and powerful Ribbon conspiracy also prevailed in that county. Last year there were seven murders in all Ireland. He had an intimate knowledge of the county of Cork; and he believed that no county of equal population in any part of the United Kingdom could show a smaller amount of crime than it did last month, according to the Returns before the House. His experience as a magistrate convinced him that some of the incendiary fires in the neighbourhood of Cork would be detected and punished if the police supervision were really efficient. The Chief Secretary for Ireland, he was sorry to find, had been guilty of great want of candour, owing, apparently, to the exigencies of State-craft and the desire to rush that Bill through the House. The right hon. Gentleman said it might be not an unfair way of reckoning outrages to reckon them, not by the person against whom they were committed, but by the number of those who committed them. He then referred to the outrages committed by parties of 17 and 20 men, and sought to argue that they should be reckoned as 17 and 20 separate outrages. Reference was made to observations of the Recorder of Galway on the fact that the normal number of processes in his Court—namely, 300—had been reduced to 30, and it was suggested that that reduction was attributable to intimidation. He did not know what occurred in Galway; but he did know what occurred in the Province of Munster. Farmers who had not paid rent to their landlords had discharged their debts to small shopkeepers so far as was in their power, and that would cause a reduction of the number of processes in their district. As a Liberal by conviction and profession, he declared that it was with pain and regret that he witnessed the spectacle of a Conservative—the noble Lord the Member for Woodstock (Lord Randolph Churchill)—having to plead with a Liberal Government to mitigate the terms of the despotic and unconstitutional measure which they proposed to impose on the people of Ireland. If this Bill was to be imposed upon them, it ought to be imposed in a tone of calmness and moderation, and not in anger. He had looked in vain for that to which the Irish Representatives were entitled—namely, some words from the Prime Minister counselling moderation to hon. Members who had displayed impatience on the subject, especially to hon. Members who sat below the Gangway on the Ministerial side of the House; for though the measure of coercion was certain, and would inevitably pass into law, probably before he saw his own city again, what equal certainty was there of a large and comprehensive measure of remedial legislation being passed? He asked that question because, even if concurrently with the coercion measure the outlines of a Land Bill had been submitted, he would, for one, have endeavoured to have swallowed the other; but they had only the promise of a remedial measure; and he need not refer further than in his own experience to the fate which befel the Compensation for Disturbance Bill last Session as to the probability of its being fulfilled. What reasonable supposition was there that the state of things for Ireland should not be that, while they had the Coercion Bill, there would be absent from the people any remedial measures? It might be said—"Think of the character of the men who compose the present Government." But the Government was certainly not immortal; and it might happen that in the struggle of carrying through the Land Bill Her Majesty's present Government might have to go to the country, and, at any rate in Ireland, their position would be very much weakened by their coercion proposals. The displays that were being made in Ireland now were more theatrical than real. The movements of flying columns were not due to any fear of rebellion, but they were part of the policy of the Government to threaten, subdue, and terrorize. Why was it that calm counsels did not prevail now as they did when the present Secretary of State for India introduced the Reference of the Westmeath Bill to a Select Committee? On that occasion, the noble Marquess used these words—

> "Bad as the case is, it is not one which we think requires legislation in haste or in panic. There has been quite enough of hasty legislation, and we believe that any legislation not based upon a full and complete knowledge of the extent of the evil, and of the nature of the evil, and of the cause or causes of the evil, would fail in its object."—[3 *Hansard*, cciv. 996.]

He added, then, that the case did not depend upon figures and assertions of the Government; and he warned the House that they would evade their responsibility if they took for granted any statements from a Minister while they had an opportunity of analyzing and examining them. There had been no analysis and examination now; but everything that was deprecated then was being done now. Hon. Members were taking statements without inquiry, and were evading the responsibility of enlightened examination. He claimed to be as great an advocate of law and order as any hon. Member of the House, for in his own case the results of 40 years' industry were inseparably interwoven with the maintenance of law and order. He looked upon the present condition of things as temporary, and trusted that the promised legislation would bring peace and prosperity. The important question was, How was Ireland to be governed in the future? They proposed at the present moment to seize her by the throat, and then to administer some doubtful panacea. He would not refer to the past history of Ireland more than to say it was sufficient commentary upon it that, in the 80 years the countries had been united, the present Bill would be the 59th measure of coercion; and yet they complained of a want of patience on the part of the people of Ireland. It was not natural that a man should have the same regard for order in Ireland as in England under such circumstances. In conclusion, the hon. Member said he should go to Ireland, convinced that in the manner of the conception of the Bill, and in the theatrical effect tried to be produced by the Government in order to have it passed, the Irish people were being badly treated by the British Government.

SIR HENRY HOLLAND said, that he would not have taken part in that debate had it not been that the hon. Member for Newcastle (Mr. J. Cowen) had made, in his eloquent speech, a statement which he (Sir Henry Holland) thought ought not to pass unchallenged; and which he, perhaps, was able better than any other Member in the House to answer. He referred to the description given of the treatment of the convict Davitt in the English prisons. But, before replying to that statement, he desired to express his deep regret that so eloquent and earnest a debater as the hon. Member for Newcastle should have thought it right to put forward such exaggerated and high-coloured arguments—arguments which tended not only to damage the cause which the hon. Member was pleading, but to lessen his own influence in the House and in the country. And, surely, no high-flown eloquence was needed on the present occasion. Was not the gravity, and, he would add, the sadness, of the present position of affairs sufficiently brought home to the minds of all hon. Members present by the simple statement, stripped of all eloquence and burning words, that now, in the latter part of the 19th century, they were compelled, or thought themselves compelled, to continue a system of coercion in Ireland, which had lasted so long, and with so little effect? Was it not grievous that the words uttered so long ago by Spencer were applicable to the present time—namely,

> "That although there have been divers good plots devised, and wise councils cast about the reformation of Ireland, it is still its fatal destiny that no purposes whatever which are meant for her good will prosper or take good effect."

No doubt, the past legislation for Ireland, which, at some periods, deserved the name of iniquitous, was partly the cause of the existing discontent, as the recollection of it was kept alive in the breasts of the people; but he (Sir Henry Holland) was ready to admit that perhaps a want of sympathy, a want of real understanding of the wishes and feelings of the people, even now interfered with and lessened the benefits of their remedial legislation. But, however that might be, a crisis had now arrived which made it necessary for them to suspend their sympathy until peace and order were restored, and until the power of the law had been again established in that unfortunate country. He (Sir Henry Holland) did not care to discuss the question whether the statistics of agrarian outrages, which had been laid before the House, were or were not strictly accurate. Granting that they were in some cases exaggerated, though he was not at all prepared to make that concession, he, and those on that side of the House who supported the Government, did so, not relying on the statistics, but relying on the solemn statements of the responsible Ministers of the Crown, upon the charges of able and impartial Judges, such as Mr. Justice Fitzgerald and Baron Dowse, and upon the elaborate statement made by the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Law) in his lengthened opening of the late prosecution in Dublin. It had been urged that agrarian outrages had of late diminished, and he (Sir Henry Holland) was not prepared to dispute that fact. But why had they diminished? Partly, no doubt, because the Land League leaders had of late done all they could to repress such outrages. But the main reason was because law had ceased to be effective. If tenants did not pay their rent and found that they were not thereupon evicted, if persons did not pay their debts and found that process was not served upon them and could not be served upon them, why should they commit outrages—why should they disturb the immunity which they were enjoying? The Land League had appealed to the most sordid side of human nature, and therein lay their power; the Land League had defeated the law, and secured to their followers an immunity from paying their just debts; then, why should not those followers obey the dictates of the Land League and remain quiet? This, he (Sir Henry Holland) believed to be the real cause of the recent diminution of crime in Ireland. And now he would address himself to the special point to which he had before referred. The hon. Member for Newcastle had, after paying a just tribute to the eloquence and zeal of the Prime Minister on behalf of Poerio and the other Italian prisoners, ventured to state that the treatment of Davitt in the prisons here was as harsh and iniquitous as the treatment of Poerio in the dungeon at Naples. He (Sir Henry Holland) was astonished at the boldness of that statement, and he could give it an unqualified denial. He had seen and conversed with Davitt, when Davitt was in Portsmouth Convict Prison; he had, as one of the Penal Servitude Commissioners, been present when Davitt was examined before the Commission, and he could, therefore, speak confidently as to the treatment which Davitt received in prison, and as to the nature of his complaints. Hon. Members could satisfy themselves upon the point by referring to the evidence; but he would venture to caution them to distinguish carefully between the statements made by Davitt, who gave his evidence very fairly, upon his own knowledge, and those which he made upon the report of other prisoners, and the general belief of other convicts. Davitt, it was true, complained of the size of some of the cells and of the occasional want of warmth or ventilation. But, contrast these complaints with the well-authenticated statement of the horrible den in which Poerio was lodged. Davitt complained that sometimes the potatoes were bad, the soup thin, the meat and bread bad, and not sufficient in quantity. But could any man in his senses venture, even upon the assumption that such complaints were occasionally well-founded, to compare the case with that of Poerio? Let any hon. Member read the accounts of the food furnished to the Neapolitan prisoners, and he would then be in a position to judge of the value to be attached to the speech of the hon. Member for Newcastle. He would not now trouble the House with any further proof of the recklessness of that speech; but he had thought it right, as the speech was one of such eloquence, to deny at once its accuracy upon this one essential point, and not to let the statement go forth uncontradicted into the country.

Mr. A. MOORE said, he was reluctant to take a part in the debate; but he wished to ask the Government what distinct assurance they could give that, when the Executive was strengthened by the powers with which it would be armed when the Bill passed, the rights of landlords would not be pushed to the uttermost? He did not wish to censure the whole class of landlords; but there were some, unfortunately, who took the very fullest advantage of their legal position. It was all very well to say that there were agitators among the Members sitting in the House as Representatives of some of the Irish constituencies; but it could not be denied that among the hon. and right hon. Gentlemen sitting on the Ministerial Bench were to be found Gentlemen largely responsible for the present state of things. It was true that there had been a great deal of disorder; but in the large constituency which he represented unbroken peace had prevailed under the most trying circumstances. He yielded to no one in that House in his desire for law and order; but how could he face his constituents if he had to tell them that he had strengthened the hands of the Government in upholding those who oppressed them? He knew of a landlord who had never granted a lease for more than one, two, or three years; the renewals, when there was always a rise in the rents, cost the tenants £4; they were not allowed to build, or even make a drain on the land without permission, could not take a stranger in their house for more than two nights, and were actually not allowed to marry outside the tenantry. The present state of things was intolerable; and unless the Government did something practical towards meeting it, he trembled to think of what would take place in Ireland before this legislation was completed. He believed that in many of the poorer districts of Ireland rents would not be paid without bloodshed. He, therefore, hoped some modification of the law would be introduced suspending eviction. Where the land was poorest the rents had been, and were, the highest in proportion to the value of the land. The time had come for action prompt and stern. What the Government might do was this—they might establish a Court for a valuation of rent. A proposal of that kind was supported by the Commission under Lord Bessborough, and why should it not be established forthwith? That would give the tenantry an opportunity of stating their grievances. It was all very well to say they had had a good harvest; but one good harvest would not put the bulk of the people on their legs. At the present moment one in every six of the tenant farmers in Ireland might be said to be bordering on insolvency. The reason why they had joined this agitation was that it was the only means possible, short of bloodshed, by which the attention of that House would be called to the subject. He denied altogether that the opposition to payment of rent was malicious, for the great bulk of the people were honest, and simply asked for a fair solution of the question. Before enforcing on them this Coercion Bill, he hoped the Government would give some clear outline of the remedial measures they intended to propose. On that would depend the happiness and prosperity of all, perhaps the lives of some. He looked for a measure comprehensive in its details, decisive in its character, and final as far as human foresight could provide—a measure which would give stability to the social institutions of the country by increasing largely the owners of land, giving to landlords their just rights, and, at the same time, securing to the tenant and to the hardy mountaineer the profits of reclaiming the vast and beautiful wastes of his native land. It was not for that House to turn a deaf ear to any cry of distress, especially as the agitation would sap the very foundations of society, and had already thrown the country back 50 years at least. He condemned much that had been said and done; but the agitation must be met by remedies, not by force. Until he heard some clear, decisive indication of the remedial measures intended to be brought in, he should feel it incumbent on him to oppose the various stages of the Bill now under discussion.

MR. LEAMY denied that Members who supported coercive legislation were acting, as the hon. Gentleman (Mr. Tottenham) had said, in accordance with the feelings of the majority of the Irish people. The large number of Petitions presented to Parliament by the most important of the municipal and local bodies of the country against such legislation clearly proved the contrary. He (Mr. Leamy) would oppose this Bill, even if the Government brought in a comprehensive Land Bill. He was afraid the Ministry had a good reason for not giving them the outline of their Land Scheme, because, if they did, they would lose the support of many hon. Gentlemen on their own side of the House in pressing forward the Coercion Bill. The Government expressed their surprise that the Irish Members made such a determined stand against this Bill; but did they think they could pass the most stringent Coercion Bill ever proposed in that House as if it concerned nothing higher than the mere privileges of a Vestry? The hon. Members opposite who supported this Bill had declared that they had the most perfect confidence in the way in which the right hon. Gentleman the Chief Secretary would administer its provisions; but they forgot that during the next two or three months, in which the greater number of the arrests would be made under this measure, the right hon. Gentleman would be too busy in London to be able to inquire into every case; and the result would be that numbers of innocent persons would suffer, because the provisions of the measure would fall to be administered by the local magistracy, who were the landlords, and by the police. It was absolutely certain that so long as suspicion was substituted for proof, that the innocent would suffer; and Mr. Isaac Butt, in 1870, had said that more wrong, more misery, and more suffering were inflicted in Irish prisons during a single year of the suspension of the Habeas Corpus Act than were inflicted in the Bastille during the 20 years which preceded its demolition. With regard to the so-called agrarian outrages, it now turned out that the breaking of a pane of glass in a solicitor's window in the town of Roscrea was the work not of a vindictive, evicted tenant, but of a half-lunatic old woman who had never had anything to do with the land. Yet the police, to whom the whole facts were known, had thought fit to include that offence among the agrarian outrages. There had been no slackness on the part of the jurors in the County Waterford to convict when the evidence established the offence. The Chief Secretary had said that it was necessary to pass this Bill for fear the Fenians should attempt to take advantage of the Land League movement for their own purposes; but was not the right hon. Gentleman, by bringing in this Coercion Bill, playing into the hands of the violent party in Ireland? How was it that the British Parliament could never give any measure of Land Reform to Ireland without first making the Irish people hate it and the Government? It was said that the object of making the Bill retrospective was to enable the Government to strike down the leaders of the Land League; but he warned the Government that for every man that was struck down ten would spring up in his place. How was it that, whereas when Sir George Grey, in 1860, brought in a Bill to suspend the Habeas Corpus Act he proposed that the measure should remain in force for six months only, the right hon. Gentleman the Chief Secretary now asked that this Bill should be continued for 18 months? It had remained for the most distinguished Government that had ever sat upon the Government Benches and for the right hon. Gentleman the Chief Secretary, who had been received by the people of Ireland as their friend, to bring in the most severe Coercion Bill that had ever been introduced into that House.

MR. FINIGAN observed, that the ready and cordial support which the Government had met with from the Conservatives should have led them to view such assistance with suspicion. He had no confidence in the promise of remedial measures, for as the Trojans of old feared the Greeks, even when offering them gifts, even so he distrusted the Government. With regard to the houghing of cattle, there had been only 16 cases in Ireland in November;

whereas in England in the same month 323 outrages had been reported by the Society for the Prevention of Cruelty to Animals. An hon. Gentleman had said he would prefer the liberty of the many to the license of the few. Well, then, if the license of the few was to be stopped, let the House put an end to the evictions which were certain to be resorted to by a handful of bad landlords in Ireland. When this Bill was introduced, the Chief Secretary assumed the responsibility for the statistics furnished by the Irish Constabulary; but when those statistics were shown not to be trustworthy, and the Returns for November came in, the right hon. Gentleman declined to be responsible for them. Therefore, in the first part of their case for coercion the Government had broken down. But if they examined the statistics for November, the case of the Government would be found to be still further weakened. In November there had been 342 threatening letters and 222 alleged outrages. There were, therefore, fewer outrages than before; and the Government said that was owing to this Bill. But no notice had been given of the Bill in November. In Dublin, Kildare, Louth, Wicklow, and Westmeath there was no crime. In Leitrim there were 24 crimes; but that was owing to the fact that the worst and most rack-renting landlords in Ireland were to be found in that county. The landlords there had endeavoured to evict their unfortunate tenants; the tenants resisted, and that was the cause of the outrages. That was also the case in Kerry and the West Riding of Galway. During the Fenian troubles there was a certain Administration in Ireland which played with treason and revolution; and he was afraid that the Irish Government—he meant the Government represented by Dublin Castle—was now playing with treason and nourishing Fenianism. If any Government lent itself to that policy it inflicted injury on the State, and was unworthy of confidence. But it was not treason the Government wished to deal with. What it wished to do was to satisfy the landlords in Ireland at the expense of the Irish people. What had the Land League done? The landlords had been prevented evicting tenants by the strength of the public opinion which had been raised. Do not let the House deceive itself. It was not by coercion that the laws could be remedied or crime stopped. He condemned emphatically the retrospective character of the Bill. He hoped the proclamation which had been posted throughout Ireland, as in Yorkshire, would not be considered as the work of any but a small handful of persons. He did not believe that any important section of the Irish people had anything to do with it, or that in their innocence they could be guilty of outrages with a view of bringing on remedial legislation. He did not believe in the existence of any widespread Fenian or secret conspiracy either in Ireland or England; and he thought the Government were only playing on their fears in order to warp their judgment. He hoped the Government would seriously consider the desirability of omitting the retrospective clause, because it was opposed to the spirit of justice, and would do more injury to the cause of peace and order than hon. Gentlemen could well believe. He should like to know what protection was to be given to the unfortunate tenants who were unable to pay their rents, and who would run the risk of being evicted while this Coercion Bill was in existence? What pledge would the Government give against the carrying out of an unjust law? In his own county (Clare) there were three landlords who had distinctly said that as soon as the law was passed they would evict their tenants. In 1866, the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright), in speaking on the Coercion Bill of that date, had said that the Government might put 500 men into gaol, but that the harvest of insurrection and misery would again be reaped. The right hon. Gentleman seemed to have forgotten, now that he was in Office, the wise words which he had then used. It had been alleged that the system of agitation now being carried on in Ireland was without parallel in the history of England. But what had happened in 1832, when the great Reform Bill had been thrown out in "another place?" Why, the men of Birmingham had threatened to carry rifles on their shoulders to effect their purpose. In Ireland there was no desire to push matters to such an extreme; they simply agitated within what was allowed by the Constitution. Whatever might be the fate of the Bill, the Irish Members would do their utmost to protest against the tyranny of that House, and the tyranny that was proposed to be imposed on their country.

Sir STAFFORD NORTHCOTE: Mr. Speaker; Sir, there were a few words which dropped from the hon. Gentleman who has just sat down which appeared to me to throw considerable light upon our present position. The hon. Gentleman, in repudiating the charge which he said had been unjustly made against many of his countrymen, of an intention to commit outrages and cause alarm in England, used this expression. He said he was convinced that his friends, or rather those of whom he spoke, would not in their innocence be guilty of transactions of that kind for the sake of bringing about remedial legislation. That observation illustrates very much the position in which, I think, we now stand. We have to consider at the present moment not what it may be thought desirable to do in the direction of what is called remedial legislation, but what measures we ought to take to meet the state of things that has been brought about, either in innocence or in wickedness, with the view, real or avowed, of bringing on remedial legislation. At the present moment we have but one question before us. We have to consider the question which has been submitted to us by the Government, and the demand which they now make upon us, that we should confide to them additional and exceptional powers for the purpose of providing for the better maintenance of law and order in Ireland. We have to set aside for the moment—though only for the moment—the question of any other class of legislation which it may be the duty of this House to enter upon at a future time. Now that Her Majesty's Government come forward and ask Parliament for additional and extraordinary powers for the purpose of maintaining law and order, we have to ask ourselves two questions. We have, first of all, to ask ourselves whether a case of real necessity for such powers is made out? And, secondly, whether the Government which asks us to confide such powers to them is one to whom we can entrust the powers which they demand at our hands? With regard to the first of these questions, whether there is a real necessity for exceptional powers, I am bound to say that it seems to me that the case has been completely made out. We have been told that force is no remedy; but force may be, and sometimes must be, the proper remedy for particular evils. No one supposes that all the troubles and difficulties which attend the government of Ireland are to be solved by the application of force. I never heard of anyone who was foolish enough to say that. I do, however, say, in contradiction to what has been said in other quarters, that, as applied to that which is the crying evil of the moment, force, properly applied, is a remedy, and is necessarily the introductory step to all other measures that will have to be undertaken. I shall endeavour in a moment to make good that proposition. But assuming for the time that we have to consider how the agitation ought to be dealt with, we have to ask ourselves whether it is true that there is such a state of things in Ireland as to require special measures. In regard to the case laid before us, I think that it has been made out. I do not refer merely to the Statistics and Returns which have been laid upon the Table. We have those before us, and we have also before us statements that are made by the Government on its own responsibility, and facts which are notorious, and which many of us can confirm in a greater or less degree from our own personal observation, or from information which we have received from reliable sources. We have heard a great many criticisms upon the details of these Statistics, and the observation has also been made that of late, at all events, the number of outrages has diminished and that comparative calm is being restored to Ireland. We have had it impressed upon us, by Gentlemen well qualified to speak upon the point, that to a very great extent that diminution is due to the action of the Land League. I will not go into the question whether other causes have been at work. For my part, I believe that the greater activity of the Government, and the greater determination shown by Parliament, have had their effect, and that the uneasiness, the alarm, and the unwillingness of many persons to subject themselves to severe measures have produced this state of quietude, for which I do not think we owe any thanks to the Land League. But, for the sake of argument, I will accept the view which is put forward by hon. Gentlemen who deem the Land League to be the cause of the diminution in the number of outrages, and who would have us believe that if we would only let matters alone, trusting to the beneficial influences of the League, all would be right. I ask, if this is true, what does it mean? What are we to infer from the fact that the Land League holds in its hands the power of saying, "Now you shall rise; now you shall be quiet; now we will have outrages in order to alarm the people and force the Government to remedy your grievances; now it is not expedient that such outrages should go on. We say we are the people who can rule Ireland?" The argument used by these hon. Gentlemen on the part of the Land League is a suicidal argument. It proves a great deal too much. It reminds me of the old proverb, "He who hides can find." He who has exhorted the people in former times to make their power felt for the purpose of getting a good Land Bill, now comes forward and says that the time has come when it is more expedient to wait and be quiet, and so give colour to the statements of those who plead their cause in Parliament. I think that an association which claims such power is a most dangerous association to deal with, and one that we cannot venture to trifle with. The Government state that they fear treasonable practices and treason-felony. We do not know what the evidence of this is, and it is impossible for the Government on such a point to lay the evidence before us; but I cannot help saying that an association such as this is exactly the sort of association that would be a most dangerous machine for purposes of that character. I say that it is absolutely necessary, in the presence of such a machine as the Land League—owning to and glorying as it does in its ability to deal with the great population of Ireland—that the Government should be armed with the exceptional powers they ask. We are told that we are to look for the pacification of Ireland in remedial measures. "Remedial measures" is a phrase of a very misleading character. We know perfectly well that there are many things in England, Scotland, and Ireland to which it is desirable to apply remedial legislation. No one disputes that in Ireland there may be many questions upon which it may be desirable to legislate. No one denies that the Land Question, for instance, may require further consideration and legislation; but if legislation is required it is our duty, and it is the only true policy with regard to such legislation, that it should be undertaken upon its own merits, and not for the purpose of buying off agitation. This agitation deprives us of the proper means and opportunity of discussing remedial measures. It hampers the Government in making their proposals, because they have to look to their primary duty of preserving law and order, and cannot discuss remedial measures while they have those other considerations before them. But it hampers them also in another way; it demoralizes the people of Ireland. I am not afraid at all, as a Member of this Imperial Parliament, and as one who takes an interest in the maintenance of English Sovereignty and English Law, of any of the direct consequences which are likely to result to England from the agitation in Ireland. I do, however, fear very much the effect which may be produced upon the Irish people themselves if these demoralizing proceedings and doctrines are allowed to go on unchecked and unchallenged. What is it that people are now being taught? Recollect that anything which falls from persons in authority or influence, dangerous or objectionable as it may be, when uttered in this House, is tenfold more dangerous when it is addressed to the ignorant, or it may be the innocent, people of the Sister Country. We have had instances of the justice of what I say in some of the speeches which have been made at the Land League meetings. A few hon. Members of this House have allowed themselves to indulge in language which, if taken exactly according to the literal meaning of the words, might fall short of producing the dangerous results to which it pointed. But such language, falling upon the ears of an excitable audience, might lead to the most dangerous consequences, and indeed such, as we have seen, has too often been its effect. The Gentlemen to whom I allude have spoken of the landlords in terms which may fall short of a direct recommendation that violence should be used against them, but which came up to the point of the expression that "if you give a dog a bad name, you at once seal its fate." But there are other cases of a much more dangerous and subtle description to which I desire to point. I refer to the language which has been used in this House and in these debates by a very high authority, from whom I had hoped to have heard better teaching—from an hon. and learned Gentleman who occupies a high position in the legal world, who is the leader of his Circuit and a Queen's Counsel (Mr. Charles Russell). That hon. and learned Gentleman the other day sought to justify the recommendation to the tenants of Ireland to hold the harvest, and he illustrated his argument by saying that he saw nothing morally wrong in a starving man helping himself to a loaf of bread. Now, what is the inference which the people of Ireland are likely to draw from such language? They will not confine themselves to holding the harvest or refusing to pay their rents, they will apply the same doctrine to other matters, and not only will the landlord be defrauded, but it is not improbable that the baker also, and other creditors may suffer. Thus the foundations of morality and of common sense become sapped; while the people, in order to win their cheers, are encouraged to believe in delusive remedies which contain no real cure for the difficulties in which they are placed. I wish to repeat what I have said more than once—that I am most anxious to enter upon this question of remedial legislation which we have been invited to consider. But, if we are to do any good, we must proceed on the grounds of common sense and justice; and unless we put a decided stop to proceedings which violate both we can do no good whatever by remedial legislation. I say, therefore, that I think the Government have made out a case for applying exceptional legislation with a view to the maintenance of order and the putting down of agitation. [An hon. MEMBER: It is not agitation.] I do not quite understand what the hon. Gentleman means who considers himself entitled to speak for the Government. That is the view, at all events, which we take of the question that is presented to us. We believe that we are now asked to entrust Her Majesty's Government with exceptional powers for this particular purpose—the purpose of maintaining law and order, and of putting down anything in the nature of violence and agitation. I have looked at the Bill that is in our hands. It applies to those who are considered by the Lord Lieutenant to be reasonably suspected of being guilty of treason and so forth, or of crimes punishable by law in a prescribed district, being acts of violence. And I say that the Government are perfectly justified in asking for additional powers for putting down the system of violence and intimidation, which, by the very confession of the Land League itself, is now prevailing in Ireland. Well, then, coming to the second question I put, and which was noticed by some of my Friends below the Gangway, and which, I noticed, raised a smile on the other side of the House, I refer to the question—Are we prepared to trust the Government with the powers which they ask us to confer on them? I answer—Yes, we are—*sub modo*—for we do not believe that the Government will abuse their powers. We are only anxious to know whether they will use them wisely, and we must say that their past conduct does not altogether show that foresight and that steadiness which we had a right to expect. Nevertheless, I am prepared to support them in the demand they make. I am prepared to trust them with the powers they ask us to confer upon them; but I am not able to leave out of sight, though I do not wish to enlarge upon it, the fact that, by their loose talk and wild language while they were in Opposition, to say nothing of what we consider some feebleness in their conduct since they have been in Office, they have conduced to some extent, at all events, to the condition of things which now exists in Ireland; and I say this—I have appealed before to the Gentlemen of the Land League to confirm my former statement, and I think I may almost appeal to them to confirm my second statement—that they have found in the difference of the language used by Gentlemen on that Bench before they were in Office, and in their conduct since they have been in Office, much to give them cause to say—"We have been misled in some of these matters, and even a Tory Government would be better than the present Government." ["Hear, hear."] I accept that cheer. I am not ashamed at all of the position of the Tory Party in its dealings with Ireland. I repudiate altogether the suggestion that we have no remedies for Ireland but remedies of force. I deny that we desire, or that we are pleased at all at having to apply, coercion to Ireland. Coercion Bills are not particularly of our introduction. We have had more to do with relaxing Coercion Bills than imposing them. But, Sir, I consider that this is not a moment for Party recrimination; because I think that all Parties in England may fairly say, looking back over a series of years, that there have been many mistakes in the government of Ireland by England in the course of those fifteen generations so eloquently alluded to by the hon. Member for Newcastle (Mr. J. Cowen). But, at the same time, I think we may say, at all events, during the recollection of the present generation and of late generations, that there has been a feeling on the part of all—an earnest desire on the part of all sections and of all Parties in this House and in Parliament and in England—to rectify, to remedy the evils which we see in Ireland; and that we, the Tory Party, claim as much as any other the credit for a desire to do our best to bring about harmony between the two countries, and to take away all cause of offence between them. If we are to bring about that happy state of things, let us, at all events, endeavour to work as far as we can in concert. I was struck by an observation in the eloquent speech of the hon. Member for Westmeath in the early part of the evening. The hon. Member imagined a sleeper who had gone to sleep a century ago, and had from time to time awoke to find the House of Commons still at its old work —imposing Coercion Bills on Ireland. Well, Sir, the hon. Member was indulging in a work of fiction, and of course it was entirely in his power as the author of the fiction to make his sleeper awake at such times as were suited to his argument; but I think it would not have been impossible for anyone else to take up the same line and make the sleeper awake at moments when measures of a remedial character were before the House. It would be easy, during the period the hon. Gentleman covers, to speak of a moment when the sleeper on awakening would have found Parliament engaged in doing away with this abuse, or in carrying out that reform, and have been assured on each occasion that it was the very last of the grievances of which Ireland could complain—that if we did but remove this anomaly, or grant that privilege, Ireland would be perfect, and the relations between the two countries would be put on a most harmonious footing. We had the Encumbered Estates Act—I will not go into many other questions of a practical character which I might refer to—we had the Encumbered Estates Act not so many years ago applauded by many hon. Gentlemen who sat on the Benches opposite as the one great remedy that Ireland required, and one which was to bring about a change of landlords, and remedy all the evils Ireland then complained of. That Act was passed in 1847 or 1848, and I am referring more especially to the language used with regard to it by the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright). There have been other occasions on which similar language has been used with regard to other measures. If the sleeper happened to awake in the year 1871, and had then gone to sleep again and had awakened once more in 1881, I think he would have rubbed his eyes a little and wondered what had become of the charming prospects which were held out by the Land Settlement of 1870. I cannot think that we do any good by endeavouring to bandy charges from one Party or the other. I speak honestly and feelingly. I have said, and say again, that there is much in the condition of Ireland in regard to which all Parties may well search their hearts, and which may make them say—"Is there not something still due from us to that country?" And I am prepared, if we are now to discuss these questions soberly, honourably, and in a business-like and sensible manner, to go fully into any of them that may be presented to me by the responsible Government. But I say that it is essential, in the first instance, that we should have a state, at least, of quiet, in order that we may discuss these questions. What is it that Ireland requires? She does not require merely that sort of sentimental language or spasmodic appeals to this or the other prejudice, in which we are so apt to indulge for the sake of catching a moment's applause. What she requires is a steady, firm, just, kindly, and reasonable policy. Give her that, and avoid, as far as you can, making Ireland the battle-ground of Parties. You may depend upon it, we have work enough to do, and it is work we may undertake with a good heart and a good conscience. We have heard sometimes of governing Ireland according to Irish ideas. I do not ask you to govern Ireland according to Irish ideas or English ideas; but I ask you, and I ask you in confidence, to undertake to govern Ireland according to the principles of truth and justice, applied with firmness, applied with caution, applied with persistency, and applied with a determination only to seek the good of that country and our common country; and I believe that, under the blessing of God, you will succeed in producing that result which we all so much desire.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) said, that in following the right hon. Gentleman who had just addressed the House, he hoped he might be permitted to say, having regard to the extreme anxiety avowed by the right hon. Gentleman to deal fairly, candidly, and kindly with all Irish questions, and to redress all kinds of Irish grievances, it was a pity that some little attempt was not made by the late Government during the last six years to attain that end. ["Oh!"] As to the question, however, now under immediate consideration, he must say that it appeared to him to be, after all, of somewhat narrower dimensions than might have been supposed from many of the speeches they had heard. It was said that this was a measure to interfere with the liberty of the Irish people. If he thought that it was really such a measure, he would not support it. He believed, however, that it was a measure for protecting the liberty of the Irish people; and for this reason. Under existing circumstances, it was not, he submitted, a simple question of whether we should or should not have any coercion, but rather a question whether we should have the coercion of an unauthorized body, or coercion, if it could be so called, lodged in the hands of the responsible Ministers of the Crown, who would be accountable to Parliament for the exercise of their powers. [Mr. FINIGAN: No; in Dublin Castle.] He (the Attorney General for Ireland) would ask if, at this moment, it could be said that there was true liberty in Ireland? In what did individual liberty consist—for that was the only liberty he cared for? There was no such thing as abstract liberty. Upon what did liberty in England rest? It rested on the law which secured to every man the full right to do as he pleased within legal bounds, so long as he did not interfere with the equal rights of others. [Mr. FINIGAN: Just law.] Upon what did liberty depend in Ireland? Had it the support of the law? No; because at present the law could not be enforced in Ireland, and no man could do as he pleased without the consent of the Land League. Mention had been made in the course of these debates of the statements made by those who were the authors and guardians and administrators of the law in Ireland—he meant Her Majesty's Judges—whose especial duty it was to deal with all cases of infringement of the law that were brought before them. A few nights ago the right hon. and learned Member for the University of Dublin (Mr. Gibson) quoted a short passage from a statement made by Mr. Justice Barry. That learned Judge, charging the Grand Jury at Waterford on the 8th of December, said—

> "Making every allowance for exaggeration, still, if one-tenth of what we hear and read is true, no sane man can deny that there exists in many parts of the country a state of things demanding grave and and anxious consideration."

Passing on, he would call the attention of the House to the condition of things in the Western Province—Connaught, which consisted of five counties. There was this peculiarity about the Province of Connaught. His right hon. Friend the Chief Secretary to the Lord Lieutenant (Mr. W. E. Forster) had quoted to the House a statement from the Charge to the Grand Jury at Galway, in which attention was called to the fact that at the Summer Assizes there had been a great diminution in the number of offences for trial. The number of prisoners was smaller than usual, and the Grand Juries were congratulated upon the fact. But what was the state of things at the Winter Assize. On the 10th of December, Mr. Baron Dowse, charging the Grand Jury at Galway, said that he found in Leitrim, out of 75 serious cases of outrage, only nine were made amenable to the law. Why was this? Because in 61 of these personal outrages the persons assaulted either could not give evidence or would not, because they were prevented by intimidation. Surely, that was a very serious state of things. Hon. Members talked of the ordinary law being sufficient; but if the people would not come forward to give evidence, or juries would not convict, he was afraid that the ordinary law was of very little value. The ordinary law was sufficient, no doubt, in ordinary times; but the times were not ordinary when no juries would convict, when juries could not even be found to try cases, and when neither prosecutors nor witnesses would give evidence. In Sligo, out of 50 cases which occurred in the interval between the Summer and the Winter Assizes, only three could be brought to trial. In Roscommon, out of 46 cases, only three were brought to trial. In the two counties in which the Land League was more thoroughly organized than any others, what were the facts? In Mayo 236 cases of outrage occurred between the Summer Assizes and the month of December, and of those only 12 were made amenable to the law; whilst in 215 the prosecutors or witnesses either refused or could not give information. In the county of Galway there was only one case of outrage in which no evidence could be obtained; but out of 291 only 12 were brought to trial; and in 278 the witnesses refused to give evidence. Mr. Baron Dowse was, therefore, fully justified in saying—

> "If this state of affairs is allowed to continue much longer, immediate danger to Ireland will be the consequence, and ultimate disgrace to the Empire of which she forms a part. No true friend of Ireland; no true lover of liberty, as contradistinguished from licentiousness, can dare to approve of the state of facts I lay before you. I speak not alone in the interest of the victims of this reign of terror—as it is properly called—but also in the interests of the poor people themselves, who are too often made the tools of men more crafty and designing than themselves."

The House had already heard the Charge of Mr. Justice Fitzgerald, delivered at Cork on the 7th of December. That learned Judge pointed out the intimidation and terrorism which prevailed, and the manner in which it affected all the relations of life. He showed how the mortgagee taking possession of mortgaged land was driven from it by the Land League; how the hotel-keeper was denied liberty to obey the law, and to receive guests; how the auctioneer who wanted to sell crops was prevented from carrying out the sale; how the employer was made to raise the rate of wages; how even the national schoolmaster, who was not agreeable to the local branch of the Land League, was compelled to resign his position. He (the Attorney General for Ireland) could himself bear witness that in the rescue cases more than half of them were instances in which the rescue was in opposition to the execution of judgments for shop debts. Even in the case of an ordinary creditor seeking to recover an ordinary debt, the same intimidation and lawlessness was brought to bear. The teaching and organization of the Land League were, in fact, so successful, that a debtor was not only not at liberty to pay his rent, but he was also at liberty not to pay his shop debts, and the result was that, in many parts of the country, it became impossible to obtain the debts due to ordinary shopkeepers and traders. Mr. Justice Fitzgerald said—

> "I do not wish to be guilty of exaggeration, or to create excitement or alarm. I desire now to express myself in the calm and measured language that best becomes one to whom the administration of justice is committed; and I should fall short of my duty if I did not point out to you how, in several districts, embracing a large part of Munster, true liberty has ceased to exist, and intolerable tyranny prevails. Life is not secure; right is disregarded; the powers of the law cannot be enforced, and dishonesty and lawlessness disgrace the land."

Again, he says—

> "I cannot shut my eyes to the fact that there have been very considerable failures of justice, and failures of justice that, I do not hesitate to say, have been produced by external influences operating on some of the jurors."

A most curious instance of intimidation occurred at Galway after the Assizes. The postmaster died, and Her Majesty's Government appointed a successor. The local branch of the Land League regarded the man appointed as successor with disfavour. A large indignation meeting was forthwith called, and the man appointed by Her Majesty's Government to the office of postmaster was attempted to be driven out of the district. He wanted to know if there was real individual liberty, when things of that kind could take place and there was no law able to punish the perpetrators of them? It was not a question whether they were to have liberty or coercion, but a question whether they were to have liberty protected by the ordinary law of the land, or to have universal licence and an utter disregard of all law. The behests of the Land League were carried out by intimidation. They began with "Boycotting," and ended ultimately with outrage, and, if necessary, with murder. His right hon. Friend the Chancellor of the Duchy of Lancaster (Mr. John Bright) was asked by an hon. Member whether he had ever heard anything so monstrous in the Land League agitation as the advice given at an Anti-Corn Law meeting to steal bread if necessary. The hon. Member added that he had never heard any dishonesty imputed to the Land Leaguers. Now, he (the Attorney General for Ireland) did not wish to enter into any minute inquiry upon the matter; but it would certainly occur to an ordinary mind that a recommendation not to pay a just debt, whether they could or not, at least very nearly amounted to dishonesty. In fact, the actual result was that in many parts of Ireland no debts could be recovered; and the County Courts had literally nothing to do. After all, no eloquence had, as yet, explained away the facts of the case, or shown that the Government had made an exaggerated statement. The hon. Member for Newcastle (Mr. J. Cowen) had dilated on the wrongs of Michael Davitt, and the cruelties endured by him in prison. He had compared him with Poerio, who was imprisoned in Naples; but it turned out that Davitt's ill-health alone had increased his hardships. The hon. Member for Newcastle then asked whether "Boycotting," which was the terror of three-fourths of Ireland, was not equalled in its severity by the treatment by the late House of Commons of one of its Members (Dr. Kenealy). So much did the hon. Member make of the isolation of the Gentleman he referred to, that he touchingly told the House his (Dr. Kenealy's) death was hastened by the misery of his condition brought about by the cold indifference of the House of Commons. Taking that view of the matter, he (the Attorney General for Ireland) would like to know what was thought of the condition of the "Boycotted" Irish "tenant?" What did the hon. Member think of a man who was actually forbidden by the orders of the local and central Land League to get food; so isolated that everyone passed him by in the street; whose children were forbidden to talk to other children; to whom no man would sell either meat or bread; who was treated as if he were afflicted with a loathsome disease? What was the condition of such a man as that; when the Land League, as they had done in many cases, told the excited people to treat him as a traitor to his country; to let the vengeance of the people fall heavily upon him; and to hoot and hiss him when they met him in fair or market? In such a state of things, did his hon. Friend think it was possible to adopt his prescription, and let things take their course; allowing all the outrages to go on as they were now doing until the remedial measures of Her Majesty's Government were passed? Had the hon. Member no feeling for the unfortunate people who were the victims of this reign of terror? Had the Government no duty towards them? If, as was more than probable, two months or more would pass before a Land Bill could be carried, what was to become of these victims of oppression in the meantime? Were they to continue to be treated in that inhuman way; cut off from all the charities of life; to be "Boycotted" so far as the daily necessaries of life were concerned; and even when they died to be denied Christian burial? The passions of the people had been inflamed by the decrees of the Land League, until their reason had left them. The state of things which existed was one that could no longer be allowed to continue, and all that Her Majesty's Government asked for by the present Bill was the means of putting an effectual stop to them. It was all very well to say that they should rely on the ordinary law; but, unfortunately, the law was inadequate to deal with the emergency. If prosecutors would not come forward, if witnesses would not give evidence, and if juries would not convict, how was the ordinary law to be applied? It should be remembered, too, that the object of the Bill was not to create any new offence, but merely to stop the commission of offences; and, for the object thus in view, the retrospective character of the measure was essential. Already the announcement of the Bill had brought about a diminution in the number of offences. Force, although not itself a remedy, was a necessary condition to applying one. Her Majesty's Government could not allow peaceable and law-abiding people to be intimidated every day, and to live in a state of constant terror as at present. That kind of lawlessness could not be allowed to go on indefinitely without the Government seeking to apply a remedy. It was all very well for the Land League to ask for liberty for themselves; but they must not be monopolists. They could not be allowed, because of their fondness for liberty, to withhold it from everybody else. Now, the principal effect of the present measure would be to stop lawless intimidation, and thereby secure as much individual liberty as might be possible under existing circumstances. He was sorry to find the other day that a prominent Member of the Irish Party opposite (Mr. Dillon) went over to Dublin and thought it necessary to make a speech, in which he described the way in which he said Irishmen were regarded in the North of England. The hon. Member said he had been informed that in Sheffield a member of the Land League, or, indeed, an Irishman, was hardly safe in the streets. That was scarcely the manner in which to promote good feeling between Englishmen and the Irishmen who came over to this country to look for employment. His right hon. Friend the Vice President of the Committee of Council (Mr. Mundella) had placed in his hand a letter from the Chief Constable of Sheffield which gave an emphatic contradiction to the statements of the hon. Member for Tipperary. Mr. Jackson, the Chief Constable, said—

> "I have the honour to acknowledge your letter of the 5th instant, calling my attention to a paragraph in *The Standard* newspaper, wherein Mr. Dillon is represented to have said at a meeting in Dublin that 'When he was in the North of England he was informed by people in Sheffield and Leeds that an Irishman was hardly safe in the streets of those towns.' I beg to state that if the hon. Gentleman means he was told that an Irishman was hardly safe from the English, or from any other non-Irish portion of the population of those towns, he has been altogether misinformed as regards Sheffield, no attacks having been made upon the Irish, except that, in a few instances, they have quarrelled and fought amongst themselves regarding their connection with secret societies; and that on the 21st December last, Stephen Broderick, the Secretary and Treasurer of the Land League, assaulted and occasioned serious bodily harm to one Garratt Dillon, simply because he refused to contribute to the funds of the League. Broderick was subsequently bailed for trial at the Quarter Sessions, but absconded. The recognizances of his sureties were estreated, and I am informed and believe the money was paid out of the funds he had collected for the Land League."

At that hour of the night he would not occupy the time of the House longer. In Ireland now, as he had already said, their choice, unfortunately, was not between liberty and coercion; but only a choice between the universal and lawless coercion of the Land League, and the coercion of a few criminals and disturbers of the peace by the responsible Ministers of the Crown. It was painful for any Government, and especially for the present Government, to ask the House to grant such powers as were now sought; but he ventured to express a hope that when they were granted they would be applied with great caution and with very great discretion. No interference with real liberty, as distinguished from lawless licence, was contemplated by the measure; but it was absolutely necessary to pass a strong measure in order to put a stop to the reign of terror and lawlessness which now prevailed in Ireland.

Mr. JUSTIN M'CARTHY moved that the debate be now adjourned.

Sir JOSEPH M'KENNA seconded the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Justin M'Carthy.*)

Mr. GLADSTONE: Her Majesty's Government cannot agree to that proposal. I hardly think it can seriously be held that after the amount of discussion we have already had on this subject it can be necessary for us to adjourn the debate to another day—probably, indeed, for two more days, because to-morrow would be a most inconvenient day for finishing the debate. Now, Sir, I will not dwell on the fact that 16 of the Irish Members who are opposed to the Bill have had an opportunity of expressing their views upon it, because that would be a very small matter if we did not remember the opportunities of which the Irish Members have previously availed themselves. Since the 6th of January we have spent 21 days and about 200 hours in discussing almost entirely this question. It is quite true that most of the discussion took place before the Bill itself was in the hands of the House; but still a very large portion of our time has been devoted to it since the proposal was made by my right hon. Friend (Mr. W. E. Forster). Really, considering the limit of human existence, and after the time that has already been devoted to the subject, I think it is only fair that I should appeal to the hon. Gentleman to allow the House to come to a decision. The hon. Member will have opportunities hereafter of addressing the House. I will not myself occupy a moment more in endeavouring to induce him not to persist with his Motion; but I think that Her Majesty's Government have a fair right to ask the House to decide the question to-night.

MR. NEWDEGATE said, he only rose for the purpose of addressing a very few words to the House. It did appear to him that the House had its credit and its existence as a deliberative Assembly in its own hands. Formerly the two great political Parties in the State were loyal to the House. He was certainly able to speak for the Conservative Party. If there was any suspicion that there was a desire or an intention to degrade the House of Commons, the Conservative Party of former days—and he hoped the same course would be taken by the Conservative Party now—were the first to vindicate the character of the House. A block in Public Business had been occasioned by the prolongation of these debates; and he trusted that the Speaker would not be again forced to exercise the jurisdiction which had been willingly accorded to him as a last resource. He, however, begged the House to remember that having been compelled to intrust the Speaker with the exercise of such powers — honourable as they were——

MR. SPEAKER: I must point out to the hon. Member that he is travelling away from the Question before the House, which is the adjournment of the debate.

MR. NEWDEGATE said, he was speaking the Question of adjournment, and was following the speech of the Leader of the House, who had represented the inconvenience of adjourning the debate until to-morrow. He (Mr. Newdegate) had simply been anxious to recall the circumstances which enabled the Speaker to exercise the new jurisdiction which had been conferred upon him by the favour of the House. He ventured to express a hope that the House would, on both sides, manifest that power of self-government, without which the House of Commons would inevitably lose caste in the opinion of the people of this country.

THE O'DONOGHUE would not detain the House for more than a minute; but he thought the debate ought to be adjourned, and he would point out why. It was necessary, he thought, that the Prime Minister should have an opportunity of explaining the speech which he made on the Motion for leave to introduce the Bill. He (the O'Donoghue) had given a quotation from that speech, and the accuracy of the quotation he gave had been called in question. He hoped, therefore, that he would be allowed to read three or four lines from the right hon. Gentleman's speech. The right hon. Gentleman said—

> "We are not attempting to interfere with the licence of discussion; there is no interference intended here with the liberty of proposing the most subversive and revolutionary changes; there is no interference here with the furtherance of those changes provided they are endeavoured to be brought about by peaceful means, and there is no interference here with whatever right hon. Members may think they possess to bring about changes in the law, and in certain cases breaches of positive contract."

MR. SEXTON did not think the Motion of the hon. Member for Longford (Mr. Justin M'Carthy) was open to the reflections which had been made upon it by the hon. Member for North Warwickshire (Mr. Newdegate). The Motion did not involve, in the slightest degree, any attack on the dignity of the House; but simply raised the question whether the Irish Party had on this stage, which had always been recognized by the tradition and custom of the House as by far the most essential stage of a Bill, had a full and fair opportunity of expressing their opinions. He need only refer to the words of the right hon. Gentleman at the head of Her Majesty's Government. The right hon. Gentleman said that only 16 Members of the Irish Party, which included three or four times as many, had been able to address the House. He (Mr. Sexton) might mention his own case. Personally, he was extremely anxious to address the House in reply to some of the statements that had been made; and twice in the course of the evening he had endeavoured, without success, to catch the eye of the Speaker. He might add, further, that many of his hon. Friends around him were most desirous of addressing the House upon the subject, and would conceive that they had been debarred the opportunity of discharging their duty unless they were enabled to do so. The previous discussions, although they might have been upon cognate questions, did not present a complete analogy to the present debate. Both the right hon. Gentleman the Prime Minister and the right hon. Gentleman the Chief Secretary to the Lord Lieutenant had, in recent speeches, brought forward arguments of the utmost importance, which arguments, he believed, had not yet been sufficiently met on the Irish side of the debate. Then, again, the right hon. and learned Gentleman the Attorney General for Ireland had just made a speech which could only be characterized as one of the most important that had been made in the course of the debate. ["No, no!"] It was certainly of the utmost importance, if only on account of the novelty of the arguments used in it, and the virulence of the feeling and spirit displayed by the right hon. and learned Gentleman. Although he (Mr. Sexton) had endeavoured to strain his power of hearing, he had not been able to gather completely the thread of the right hon. and learned Gentleman's argument; and he was sure that the Irish Members around him would not be able to reply to it effectively until they had been able to consult the ordinary channels of information. He did not know whether Her Majesty's Government would attach importance to this statement or not; but he begged to inform them that he was sincere in what he said, and that he was extremely anxious to have an opportunity of ascertaining what it really was that the right hon. and learned Gentleman had said, so that he might be able to give to it the best reply in his power. He might add, further, that the Leader of the Irish Party—an hon. Member of that House with whom he and other Irish Members were in the habit of acting (Mr. Parnell)—had been expected in his place that night, but was kept away by unavoidable circumstances. Under these circumstances, he put it to the Speaker, invested as he was beyond all precedent with the power of controlling and directing the course of the debates, if it would be fair to the Irish Members, and to the people of Ireland, to seek to take an undue advantage of them? If the House would enable them to devote a few hours further to the consideration of the new arguments advanced by the Law Officer of the Crown, there was no intention on the part of the Irish Members to prevent a division being taken at a reasonable hour to-morrow.

Mr. O'DONNELL said, he was not aware that there was anything surprising in the fact that, after only three day's discussion on the second reading of this important measure, Irish Members should desire another day. So far as he could judge of the feelings of those hon. Members, he believed that another day would fully satisfy the speakers who had yet to address the House. It was in no way extraordinary that the Irish Members at such a crisis should ask for this slight addition to the scanty opportunities that had been given to them for the discussion of the Bill. He did not agree that the discussion on the Motions for adjournment, which the Irish Members had been forced to move on former occasions, was all they were entitled to. They were entitled to full time on the Main Question, and were driven to Motions for adjournment by Her Majesty's Government. The Government appeared to have adopted during the progress of this Bill—which merely treated of Irish affairs—the curious strategy of springing some new and extraordinary argument just at the close of the discussions. How did they know that the right hon. and learned Gentleman, who, smarting under his recent defeat in the Dublin Courts, had just been pouring his virulent insinuations upon the Land League, would not consider that he had uttered numerous errors in the course of his speech, and be as profuse in his apologies as the Chief Secretary had been, if he only got a little time to recollect himself? He did not, however, on this subject, wish to deal in retorts—in retorts in reply to the action and attitude of Members of the Government—but he put it as a most reasonable request, that, at any rate, they should have their appeal for another night granted. If the Irish Members had been too persistent in the matter of asking for an adjournment to another day on previous occasions, he could understand the resolution of the House to oppose them; but he hardly thought the House would take extreme measures to-night. It ought to shrink from that kind of petty victory. It was possible for the Government to put down the present opposition of the Irish Members; but if they wished to obtain any respect for the measure they were pressing on the Irish Representatives they ought, at least, to take out of the mouths of those Gentlemen the plea that they were being unduly pressed and forced, and that the House was being urged to come to an immature and unripe conclusion. In support of his plea, he begged to remind the Ministerial Party that it was only this morning that hon. Members got the last batch of the statistics bearing upon this important question. At no time had they been allowed to see the whole of the Ministerial case at once; and he was sure it would be to the convenience, not only of the Irish Members but of the supporters of the Government and the Conservative Members, if Her Majesty's Ministers would give the House to understand when they would be prepared to make the whole of their case known. Hon. Members had been continually kept hanging on the lips of chance, and perhaps the Government would be able to add something to their case if another day were granted. Some of the Leaders of the Irish Party, in whom they had the greatest confidence, and who had especially studied this question, wished to reply in detail to what had come from the Front Ministerial Bench that night. They were prepared to speak at the next Sitting, and to give a conclusive answer to the Government; therefore, in fairness to the Irish Party, and to sustain any reputation that might belong to them, he asked the Government for an adjournment.

Mr. MITCHELL HENRY—["Divide!"]—If hon. Gentlemen would hear him he thought they would find that what he was about to say was to the point. Clearly the House was commencing one of those disagreeable contests which might be avoided by a little tact and a little common sense. He would appeal to the right hon. Gentleman at the head of the Government to accept the offer to conclude this stage of the debate to-morrow. There was not the least use in going on with division after division on the Question of adjournment as long as they might be permitted to divide. He was quite prepared to take his part in the contest if hon. Gentlemen insisted upon its taking place; but he wished to save the time of the House and the temper of hon. Members. He was sure it would be very much better to accept the offer that had been made to conclude this stage of the debate at 6 o'clock than to go on with a contest of this kind. ["Divide, divide!"] The House appeared to be very impatient; but it must be recollected that the speech of the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Law) was certain to provoke a great deal of warm feeling on the part of the Irish Members—feeling which would not be assuaged unless they were allowed an opportunity of replying to the speech. He could not understand what could have induced the right hon. and learned Gentleman to rise in his place, at a moment of comparative calm, and make a speech that renewed all the disagreeable associations of an earlier period—all the disagreeable associations that had almost disappeared in the course of a very quiet evening. On that account alone the Government ought to consider it wise and better for the House itself to allow a reasonable amount of debate to-morrow—from 12 until 6—than to go on with Motions for adjournment of the debate and the House as long as the Speaker would allow them to be moved. It would not look well for the Speaker again to interfere. Let them recollect that, after all, Ireland was a part of the United Kingdom. The House was going to subvert the liberties of 5,000,000 people; and to refuse the Representatives of those people permission to speak on the subject from 12 to 6 on a Wednesday was a thing the like of which was unheard of in any country which had any sort of regard for justice and right. He made this observation with no intention of provoking the House, but of producing something like a sense of right in the minds of those who thought there was nothing more important than to get through the measure anyhow. He had given, he thought, a good reason, besides the desire everyone had for the decent conduct of their debates, why the debate should be adjourned, on the distinct understanding that it should come to an end to-morrow. It used to be the fashion in the House to have these understandings, and to rigidly adhere to them, and they were found of great advantage. Unfortunately, of late, it had come about that understandings of this kind had not been observed as carefully as could have been desired. He saw now an opportunity of restoring a better state of feeling—the opportunity of accepting the proposal that had come from hon. Gentlemen opposite, who were unquestionably more concerned in this question than anyone else. The Government should avail themselves of this opportunity of restoring that honourable feeling amongst all Parties of the House, and again insure that when a request that was reasonable in itself was acceded to, the understanding upon which it was granted should be strictly adhered to. The House would be very lucky if the Prime Minister accepted the Motion of the hon. Member opposite.

Question put.

The House *divided*:—Ayes 44; Noes 422: Majority 378.—(Div. List, No. 28.)

Question again proposed, "That the word 'now' stand part of the Question."

MR. METGE said, he did not wish to minimize or underrate the crime that actually existed in Ireland, for he believed that crime existed to a very great and unprecedented extent during the last three months of the last year; but he claimed the right to lay facts before the House which, he believed, would conclusively show that that crime was not of such a character that coercion could be expected to suppress it. The Government had given the Irish Members a surprise by the Blue Book on outrages which they issued a few days ago. He had spent Sunday on going through that document; and he would endeavour to give, in a few minutes, the result of his examination of the figures it contained. He found that in November, which was the month upon which the Chief Secretary mainly relied to establish his claim for coercion, there were no less than 561 cases of outrage reported to the police. That was bad enough; but when they came to inquire into those cases it was found that 418 of them had been cases of threatening letters. He did not wish for a moment to underrate the effects of threatening letters, for he regarded them as cowardly, and things which ought to be put down. Neither did he think as much of them as did the noble Lord the Member for Woodstock, nor did the people of Ireland think so much of them; but, in any case, the writers of threatening letters could not be suppressed by coercion. If that was so, then they would be justified in eliminating the threatening letters from the statistics altogether. Coming to the 143 cases which were left, he found that of those 7 were split into 14, 6 into 22, 1 into 4, and 1 into 8. That was entirely new ground, and he doubted whether many Members of the House had looked into the Blue Book. Then they found the old ground gone over again, and worked up in the same way by magistrates and police to justify the case for the suspension of the liberties of the Irish people. There were 112 cases of outrage; but 37 of them were trivial in the extreme, such as 12 cases of breaking windows, 1 of shooting a goose, 2 of unhinging gates, 1 of breaking a lock, and 1 of breaking a canoe. That was the average kind of cases upon which the Government were relying for their power to put the people in prison. Of actual cases of outrage there were 75, and those were the cases to which they must limit the Chief Secretary; 75 outrages had been committed in one month over the whole of Ireland, containing 5,250,000 people. Of those 75 cases there was only 1 of murder, although he admitted that that was a horrible case; there were 3 cases of firing at persons, and 15 of assault, making 18 offences against the person. When they came to consider that that was the month mainly relied on, and that those facts were kept back to the last moment, and when they found that there were only 18 cases of assault against the person in the whole of Ireland, it was simply disgraceful that on such a plea the House should be asked to pass a measure unprecedented in its severity. This was a class of crime which he believed would not be touched by coercion. Crime in Ireland was, for the most part, in the direction of revenge, and revenge would meet its victim in defiance of all laws. He did not say that in justification of revenge, but as a proof that it must not be met by increasing the severity of existing laws, but by relaxing laws which had been a fruitful source of so much evil. Taking the numbers as he found them, he did not think that even if they were doubled, any Minister could have the assurance to ask the House, on such grounds, to suspend the law of the Constitution in Ireland; and, as long as they were under the pretence of being called a United Kingdom, there should be the same measures of legislation in this country as in Ireland. A few nights ago the plea of treason had been started; but that had been brought on in a different way from the first charge of outrage. The latter was supported in a certain way by facts, the former was supported neither by facts nor figures. An explosion was heard of somewhere in the North of England; another in the South of England; a canister was found with nothing in it, and then it was said—"Oh! it's all those Fenians." That was the new plea upon which the Government sought now to justify the figures, which had failed to prove that outrage of an aggravated character existed in Ireland. He would ask the House to look back for a moment at the people who were to be coerced. Did they remember those people three years ago when they lost over 20,000,000 lbs. of potato crop, which was the chief food and the sole means of existence of a great number of those people? Did they know that agriculture had failed in all its branches, and that nearly 500,000 acres of land had gone from cultivation? Did they know that at the fair at Ballinasloe three-fourths of the cattle had to be driven away from the market unsold, and that that, and similar cases elsewhere, had caused a loss of £15,000,000? Did they know that in every branch of industry there had been the same failure? The same state of things had existed in England; but it had not the same effect, for Englishmen had other sources upon which to depend for existence. But in Ireland the people depended almost entirely upon the land. Because Irish Members had had the hardihood in the House to object to what was proposed, they had been subjected to a violent attack by an hon. Member, who had said that they had incited the people to sedition. He did not care personally what the charge was; he came there to fight the cause of his countrymen. But he would ask the House for a moment how such proposals as those now before them were regarded by Englishmen—by Englishmen who were respected in England, and whom even Irishmen must respect? He might refer to one man whom all men of feeling must honour and revere, and whose great spirit had just passed from among them. Thomas Carlyle, speaking of the Irish people, wrote as follows:—

> "Violent men there have been and merciful; unjust rulers and just, conflicting in a great element of violence these five wild centuries; and the violent have carried it, and we have come to this—England is guilty towards Ireland, and reaps at last, in full measure, the fruit of 15 generations of wrongdoing."

These were the words of the late Thomas Carlyle, and they gave a perfectly true representation of the character of English legislation towards Ireland for generation after generation. The House was now asked by Her Majesty's Government not to support any further adjournment of the debate. The right hon. and learned Gentleman the Attorney General for Ireland appeared before them, and in very violent, if not incoherent language, addressed arguments to the House which had never been adduced before. They had had started upon them a new volume of statistics. That very day a new Return had been presented, and they were asked to work it out at 1 o'clock in the morning. He was entirely opposed to such a course. Already he had spent many hours in that House in supporting fruitless Motions for adjournment; but so long as he had breath, and so long as the Forms of the House enabled him, he would oppose coercion towards Ireland. With that object in view, he begged to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Metge.*)

MR. GLADSTONE: I am extremely sorry to find that the sense of the House, as manifested in the division which has just taken place, has made so slight an impression on the hon. Gentleman, notwithstanding the fact that, out of every 11 Members present, 10 have expressed a wish that the debate should proceed, and that a division should be taken on the second reading of the Bill to-night. At the same time, as the hon. Gentleman has again hoisted the flag of opposition to the continuation of the debate, and, seeing that an intimation has been made that it will not be prolonged beyond to-morrow, the Government, under the circumstances, will not object to the adjournment of the debate, on the understanding that it will be brought to a close to-morrow.

Motion, by leave, *withdrawn.*

Debate *further adjourned* till *To-morrow.*

CONSOLIDATED FUND BILL.

(*Mr. Playfair, Mr. Chancellor of the Exchequer, Lord Frederick Cavendish.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Lord Frederick Cavendish.*)

Mr. **ARTHUR O'CONNOR** said, he did not wish to oppose the third reading of this Bill; but he was not aware that, either on the introduction of the Bill, or the second reading, or in Committee, had the noble Lord the Secretary to the Treasury, who was in charge of it, made any statement as to the present position of the Consolidated Fund. He hoped the noble Lord would furnish to the House a Return showing the state of the Fund at present, together with the amount raised in the shape of Exchequer Bonds, and the amount cleared off in Exchequer Bonds, as well as the amount raised in Exchequer Bills, and the amount paid off. If the noble Lord would do that he (Mr. Arthur O'Connor) would be perfectly satisfied; but when he asked that the House should have that information he did not think he was asking too much.

Lord **FREDERICK CAVENDISH** said, he had already stated that the Bill was introduced for the simple purpose of providing Ways and Means that would come in payment in the course of the present financial year. It was not advisable that any statement should now be made which would anticipate the Financial Statement of the Chancellor of the Exchequer, and the accounts would show fully all that the hon. Member desired. The present Bill was simply for the purpose of paying off £2,500,000 of Exchequer Bonds which were about to fall due.

Motion *agreed to.*

Bill read the third time, and *passed.* [New Title.]

BANKRUPTCY AND CESSIO (SCOTLAND) BILL.

On Motion of Dr. Cameron, Bill to amend the Bankruptcy Acts and Cessio Acts with respect to the discharge of Bankrupt Debtors in Scotland and in certain other respects, *ordered* to be brought in by Dr. Cameron, Mr. Orr Ewing, Mr. Ramsay, Mr. James Campbell, and Mr. Mackintosh.

Bill *presented,* and read the first time. [Bill 81.]

House adjourned at half after One o'clock.

HOUSE OF COMMONS,

Wednseday, 9th February, 1881.

MINUTES.]—Public Bills—*Ordered—First Reading*—Sea Fisheries (Clam and Bait Beds) * [83]; Entail (Scotland) * [84].

Second Reading—Protection of Person and Property (Ireland) [79]—*Fourth Night.*

Select Committee—Married Women's Property * [50], *nominated.*

Committee—Report—Municipal Franchise (Scotland) * [57-82].

QUESTIONS.

POST OFFICE—COMMUNICATION BETWEEN THE WEST OF ENGLAND AND THE SOUTH OF IRELAND.

Mr. **LEAMY** asked the Postmaster General, Whether his attention has been drawn to the grave inconvenience caused in the South of Ireland by the practice of making up at an early hour in the afternoon the Irish post-bags at Gloucester, Bristol, Newport, Swansea, and other towns on the Great Western Railway, although those bags are only sent on by the night mail train from London; whether he is aware that letters posted at the above-named towns (for places in the South of Ireland) during the latter part of the afternoon and also during the evening are not sent on direct to their destination, but are first despatched to London and afterwards to Ireland, causing a delay of about twenty-four hours in delivery; and, whether he will direct the Postmasters along the line from Gloucester to Milford to make up at a late hour of the evening a bag containing letters from those towns for places in the South of Ireland?

MR. FAWCETT: Sir, I think the hon. Member for Waterford is under some misapprehension in supposing that all letters posted for Ireland in Gloucester, Bristol, and other towns in that district, are sent by way of London. The mail train starts from Bristol at 7 p.m., and from Gloucester at 8.20, taking the route by way of Birmingham, Stafford, and Holyhead. Letters may be posted up to a short time before the despatch from each town. From Newport the despatch is at 6.30 p.m., and from Swansea at about 4 p.m., to Ireland generally. Letters posted after those hours for Waterford and a few neighbouring towns in the South of Ireland are sent by way of Milford. The correspondence, however, for which the Milford route is available is very small; and the arrangements which have lately been made will, it is thought, meet all necessary requirements.

TUNIS—THE ENFIDA CASE—PRESENCE OF A FRENCH WAR VESSEL.

MR. MONTAGUE GUEST asked the Under Secretary of State for Foreign Affairs, Whether it is true, as stated, that the French man of war "Friedland" is now stationed in Tunisian waters; and, whether Her Majesty's Government will take steps to counteract the influence which this show of force is calculated to bring to bear against claims to the Enfida Estate in Tunis by a British subject?

SIR CHARLES W. DILKE: Sir, when my hon. Friend asked me this Question yesterday without Notice I asked him to postpone it till to-day, both on account of the general principle that, in delicate foreign affairs, Notice ought always to be given; and, also, because I was not in possession of information as to the movements of the *Friedland*, which reached us at 5 o'clock, and was in the possession of my noble Friend Lord Granville when he replied, at a quarter past 5, to a Question in "another place." The French ironclad *Friedland* and despatch-boat *Hirondelle*, which left Toulon for Tunis last week, were yesterday morning to leave Tunis, and Her Majesty's ironclad *Thunderer* and despatch-boat *Decoy*, which had been ordered to call at Tunis in the course of a cruise, have been ordered to continue their cruise.

CENTRAL ASIA — CORRESPONDENCE BETWEEN RUSSIA AND THE AMEER OF CABUL—UNAUTHORIZED PUBLICATION OF THE CORRESPONDENCE.

MR. H. R. BRAND: I beg to ask the right hon. Gentleman the First Lord of the Treasury a Question of which I have not given private Notice; but which I will postpone till another occasion if it is more convenient. It has reference to the very inconvenient practice which has sprung up of the publication of State Papers before they are presented to Members of both Houses. I make special reference to the publication of the secret Correspondence between the Russian Government and the late Ameer. The full text of that Correspondence appears in the "Standard" newspaper to-day; and I wish to ask the right hon. Gentleman whether he will say how it is that these documents have been published in the "Standard" before they have been presented to this House?

MR. GLADSTONE: Sir, with regard to the particular Papers which have appeared in *The Standard* this morning, I have not had time to examine them minutely, and I wish not to be understood as affirming that the text of those Papers is accurate. I do not know—I wish it to be understood that I do not affirm—that the text is correct. What I understand my hon. Friend expects from me is not an explanation of the manner in which this particular publication came about, but a statement upon the general question. I am of opinion that it is indecorous, to say the least of it, and highly disparaging to Members of this House that the publication of documents appertaining to the public interest, and intended for the cognizance of Parliament, should be made in the journals of the day before those Papers are in the hands of Members of this House. It is not always, as my hon. Friend knows, easy to counteract the extreme and, in a certain sense, laudable ingenuity which is continually at work to purvey news for the public; but I can assure my hon. Friend, both on principle and in consequence of the notice which the matter has justly attracted in this House, I will take care that, so far as Papers of this nature under the control of the Treasury are concerned, the strictest injunctions shall be given upon the subject, and I fully anticipate that the heads of the various departments will take a similar course, so as to give to Parliament, so far as priority is concerned, all the satisfaction of which the matter admits.

PARLIAMENT—BUSINESS OF THE HOUSE (URGENCY.)

MR. SPEAKER addressed the House, as follows:—I desire to lay upon the Table certain Rules, passed by me in pursuance of the Resolution of the House of the 3rd of February, for the Regulation of the Business of the House while the state of Public Business is urgent. I may have occasion to frame other Rules, from time to time, as occasion may require, which will also be laid before the House. I trust they may be found to promote the proper consideration of urgent measures, without unduly restricting the freedom of orderly Debate.

9th February, 1881.

RULES FRAMED BY MR. SPEAKER FOR THE REGULATION OF THE BUSINESS OF THE HOUSE, WHILE THE STATE OF PUBLIC BUSINESS IS URGENT.

Motions for Adjournment.

1. That no Motion for the adjournment of the House shall be made, except by leave of the House, before the Orders of the Day or Notices of Motions have been entered upon. [*Communicated to the House 4th February,* 1881.]

2. That when a Motion is made for the adjournment of a Debate, or of the House, during any Debate, the Debate thereupon shall be strictly confined to the matter of such Motion.

3. That, if during any Debate, a Motion be made for the adjournment of the Debate, or of the House, Mr. Speaker may decline to put the Question thereupon, if, in his judgment, such Motion is made for the purpose of obstruction: or, if he think fit to put such Question, he may put it from the Chair forthwith.

4. That no Member, having spoken to a Motion for the adjournment of a Debate, or of the House, during any Debate, shall be entitled to move, or to speak to any similar Motion, during the same Debate.

Irrelevance or Repetition.

5. That Mr. Speaker may call the attention of the House to continued irrelevance or tedious repetition on the part of a Member; and may direct the Member to discontinue his speech.

Putting the Question.

6. That when it shall appear to Mr. Speaker, during any Debate, to be the general sense of the House, that the Question be now put, he may so inform the House; and on a Motion being made "That the Question be now put," Mr. Speaker shall forthwith put such Question; and if the same be decided in the affirmative, by a majority of three to one, the Question previously under Debate shall be forthwith put from the Chair.

House Resolving itself into Committee.

7. That when the Order of the Day for the Committee on any Bill, or other matter declared urgent is read, Mr. Speaker shall forthwith leave the Chair, without putting any Question; and the House shall thereupon resolve itself into such Committee.

Consideration of Bill, as amended.

8. That, on reading the Order of the Day for the consideration of a Bill (declared urgent), as amended, the House do proceed to consider the same, without Question put.

Divisions.

9. That when, before a Division, Mr. Speaker's decision that the "Ayes," or "Noes," have it is challenged, Mr. Speaker may call upon the Members challenging it, to rise in their places; and if they do not exceed twenty, he may forthwith declare the determination of the House.

RULES REGULATING THE PROCEEDINGS OF A COMMITTEE OF THE WHOLE HOUSE UPON ANY BILL, OR OTHER MATTER DECLARED URGENT.

Motions to Report Progress, &c.

10. That when a Motion is made that the Chairman do report Progress, or do leave the Chair, the Debate shall be strictly confined to the matter of such Motion.

11. That if a Motion, that the Chairman do report progress, or do leave the Chair, be made, the Chairman may decline to put the Question thereupon, if, in his judgment, such Motion is made for the purpose of obstruction; or, if he think fit to put such Question, he may put it from the Chair forthwith.

12. That no Member, having spoken to a Motion that the Chairman do report progress, or do leave the Chair, shall be entitled to move, or to speak to, any similar Motion, during the same sitting of the Committee.

Irrelevance or Repetition.

13. That the Chairman may call the attention of the Committee to continued irrelevance, or tedious repetition, on the part of a Member; and may direct the Member to discontinue his speech.

Members to Speak once only.

14. That no Member shall be allowed to speak more than once to the same Question; unless the Member in charge of the Bill, or any Member who has made a Motion, or moved an Amendment, desires to offer explanations.

Preamble postponed.

15. That the Preamble of a Bill do stand postponed until after the consideration of the Clauses, without Question put.

Divisions.

16. That when, before a Division, the Chairman's decision that the "Ayes" or "Noes" have it, is challenged, the Chairman may call upon the Members challenging it, to rise in their places, and if they do not exceed twenty, he may forthwith declare the determination of the Committee.

Questions to be put forthwith.

17. That, when, by any of the Rules, framed by Mr. Speaker, a Question is to be put from the Chair forthwith, no Amendment, Adjournment, or Debate shall be allowed.

Ordered, That the said Rules be printed. [No. 73.]

ORDER OF THE DAY.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL.—[BILL 79.]

(*Mr. William Edward Forster, Mr. Gladstone, Secretary Sir William Harcourt.*)

SECOND READING.

ADJOURNED DEBATE. [FOURTH NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [4th February], "That the Bill be now read a second time."

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Bradlaugh.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

MR. SEXTON said, that, on the part of those Irishmen who had sent him to that House, he begged to tender his cordial thanks to the hon. Member for Newcastle (Mr. J. Cowen) for the speech with which he had enlightened the debate. If the hon. Member never spoke another word on behalf of the Irish people, that speech would entitle him to their lasting gratitude. The hon. and learned Member for Midhurst (Sir Henry Holland) objected last night to the comparison which had been drawn by an hon. Member, of the circumstances which had attended the lives of the Neapolitan Poerio and of Michael Davitt. He (Mr. Sexton) thought the comparison was amply justified. It was well known that Michael Davitt in his prison life had been subjected to indignities and ill-treatment which he could not describe as other than unspeakable. He thought there had been an extraordinary want of strength in the arguments advanced in support of the second reading during this debate. The hon. and learned Member for Cambridgeshire (Mr. Rodwell) had stated that in times past measures of this character had succeeded in repressing crime and restoring peace, and had referred to the Coercion Act of 1833 as an example. After the passing of that Act crime in Ireland steadily increased until 1835, when the Commutation of Tithes Act, which was of a remedial character, was passed. It was a measure of the kind which the Irish Members were endeavouring in vain to induce the Government to pass instead of continuing in their old policy of coercion. The failure of coercive measures and the success of remedial measures were exemplified also by succeeding years. In 1843 the Arms Act was passed, in 1847 the Crime and Outrage Act, and in 1848 the Habeas Corpus Act was suspended. Under the influence of the Acts, the classes of crime against which they were directed steadily increased up to 1850-1, at which time the forced emigration of the people and the growth of a new system arrested the progress of crime. Certain hon. Members supporting the Government sitting on the Liberal Benches had expressed their desire for radical reforms in Ireland; but signified their intention of supporting the Coercion Bill, for no other appreciable reason than that the Prime Minister asked for support. He wished he could see a little more independence in these Members, who, although actuated by a sincere desire to benefit Ireland, did not exercise fully their own judgment. The present was the most drastic Coercion Bill that had ever been introduced, inasmuch as it was retrospective, and was intended to remain in force for 18 months, during which trial by jury would be suspended. Moreover, it placed the liberties of a whole nation at the mercy of one man, and treated an ancient, intellectual, and civilized people, with its great and ancient historical traditions, as if they were the inhabitants of some wretched Crown Colony. If Irish Members were not allowed freedom of speech on this subject, he should like to know what business they had there, and what had become of the independent functions of Members of that House? He could not conceal from himself the fruitlessness of his endeavouring to argue this question, which had already been decided by a foregone conclusion which no words of his could alter. Nevertheless, he felt bound to state the case of the Irish people to the best of his ability, forced on by an irresistible sense that nothing could absolve him from the discharge of the duty he had taken upon himself when he became a Member of Parliament. What should he say of the speech of the right hon. and learned Gentleman the Attorney General for Ireland? However distinguished a lawyer that right hon. and learned Gentleman might be, in spite of a certain recent failure, to which he need not more particularly allude, he had, at a late stage in this debate, delivered a speech which was altogether wanting in those calm, well-balanced, and discriminating characteristics which would be expected to mark the observations of a statesman. He protested against this grave question being treated as though it were a matter of criminal inquiry, in which individual outrages were to be dwelt upon as proofs of the guilt of a whole nation; and he contended that it should not be determined by looking microscopically at small and isolated facts. The right hon. and learned Gentleman had said that it had been asserted that this was a measure intended to interfere with the liberties of the Irish people. For his part, he regarded it as one not calculated to interfere with, but to destroy, Irish liberty. Whatever might have been his original opinion with regard to this measure, he had been convinced by the speech of the right hon. and learned Gentleman that it would inflict a fatal injury upon the liberties of the Irish people if these despotic powers were to be placed in the hands of the Lord Lieutenant, of whom the right hon. and learned Gentleman was the public Legal Adviser. Turning to the action of the Land League, he asserted with confidence that the essential principle of that Association was not to interfere with the liberty of any man in Ireland. So far from inciting to violence, the Land League had, over and over again, interfered in remote districts for the purpose of preventing ignorant peasants being forced to join their body. The Land League had no desire to resort to force in any case, because they felt that the mass of sympathy which they had in the hearts of the Irish people was sufficient to carry them on to victory in the legal and Constitutional course they had marked out for themselves in spite of coercion. The right hon. and learned Gentleman had referred to the counties of Galway and Mayo as being those in which the organization of the Land League was the most complete, and in which there had occurred, in consequence, the greatest number of agrarian outrages. But was the right hon. and learned Gentleman justified in assuming that there was the slightest connection between the organization of the Land League and the existence of agrarian outrages? It might be true that the Land League was well organized in Galway and Mayo; but was it not true that these were the two counties in which distress acutely prevailed? Was it not true that in those counties the greatest number of small farmers were found dragging out a miserable existence, and that the landlords were, in the largest number, most harshly and cruelly exercising the rights confided to them by law? Was it not, therefore, most uncandid, most unfair, and misleading on the part of the right hon. and learned Gentleman to endeavour to associate the existence of outrage with the fact that the Land League was specially well organized in Galway and Mayo? The existence of outrages could be clearly and undeniably ascribed to the nature of the relations between landlord and tenant in the country, and to the notorious fact that the condition of the bulk of the small cottiers and small tenants in these counties was in itself amply sufficient, if there never existed a branch of the Land League, to account for the prevalence of outrages. The sufferings of the people, and the repeated attempts made by the landlords in those counties to extract a higher rent than they were equitably entitled to, were in themselves a reason why the Land League should establish a larger number of branches there than elsewhere—in fact, the people had solicited the protection of the Land League. The right hon. and learned Gentleman had said that the system of intimidation which existed in Ireland affected not merely the landlords, but every relation of life. He maintained that the present state of things in Ireland was not due to intimidation; but was caused by the universal social sense of equity, that revolted against an iniquitous law, and had determined that that law should be altered. If the present condition of Ireland were really due to intimidation, it would have prevailed over parts only of the country, and would not have penetrated into its very blood and marrow. Furthermore, the Attorney General said that no distinction would be made between rent and other debts. He desired to vindicate the Land League in this respect. All the Land Leaguers had vigorously protested against any attempt to extend the action of the organization to any debts except those for rent; and the humblest and most unlettered man perfectly well understood the gulf of moral difference that lay between a demand for an exorbitant rent and a demand for an ordinary debt. If the demoralization to which the Attorney General had alluded was likely to extend to all sorts of debts, he asked how it was that almost every commercial Corporation of Ireland had petitioned against the proposed Coercion Bill? He confidently and proudly assured the House that the great mass of the Irish shopkeepers knew that any delay in the payment of debts at the present time arose, not from any corrupt unwillingness to discharge moral obligations, but from sheer incapacity. These shopkeepers joined with the people in asking the Government to lay aside coercive measures, and proceed as rapidly as might be to pass such remedial measures as would enable the tenants of Ireland to put in their pockets such a fair share of the profits of their labour as would enable them to pay their debts, and as would re-construct on a sound basis the dislocated condition of the country. The right hon. and learned Gentleman had fallen into a ridiculous error when he dealt with the system of "Boycotting." That system had never formed a part of the unwritten law of the Irish Land League, and no man had ever been subjected to it who had not made himself personally obnoxious in a particular locality. Boycotting was an excrescence which had developed itself on the body of the League, and over it the League could exercise but little control. Control had, however, been exercised over it when feasible. The right hon. Gentleman the Chief Secretary for Ireland asked—"What, in the absence of coercion, would become of the victims of the Land League in the interval that must elapse before a Land Bill could pass?" In answer, he had to say that no Coercion Act which could be devised would restrain the passions of excited and ignorant men, who must have plenty of opportunities of committing secret crimes. The best way to deal with the diseased social condition of Ireland would be to remove from the minds of the discontented the reason for discontent. Part of the argument of the right hon. Gentleman was based on his statement that juries in Ireland would not convict. But was it true that juries would not convict? In the course of the past year 215 cases of an agrarian character were brought before juries, and in 83 a conviction was obtained; so that verdicts of guilty were found in 40 per cent of the agrarian crimes brought before juries. The proportion of convictions in England in ordinary times did not exceed 40 per cent.

Mr. W. E. FORSTER: That is the proportion of apprehensions to offences.

Mr. SEXTON: No; not at all. It was the proportion of convictions to trials. He, therefore, said that Irish juries, in this time of trouble, had discharged their duties as thoroughly as English juries discharged theirs in ordinary times. And with respect to ordinary crime. The Bessborough Land Commission in their Report said that if they were right in maintaining that grievances existed for which the present law provided no remedy, justice required that the remedy should be provided; and they expressed the opinion that even an incomplete measure of justice would succeed for a time in stilling the most violent agitation. In consonance with this view, he would now say to the Government, apply the axe to the root of Irish landlordism, and not to the liberties of the Irish people. He was very much surprised that the Chief Secretary for Ireland had not taken the trouble to correct a very grave error in one of his former discourses. The error to which he referred was the statement that the proportion of arrests to the total number of agrarian crimes in Ireland was only 16 per cent. The real proportion of arrests to offences was 23 per cent, and in connection with so grave a question as the present one a difference of 7 per cent was a serious difference. The right hon. Gentleman, in order to convince the House that Ireland was in a condition calling for coercion, had compared the crimes of 1880 with the crimes committed in 1847 and 1869. He denied that any just comparison could be made between the crimes committed in these different periods. The crime of 1880 was distinctively agrarian, while the crime committed in 1847 was connected with an excitement, not of an agrarian, but of a social character. It was also misleading to compare 1880 with 1869, for in 1869 there was no such distress and consequent public excitement as characterized 1880; the Government in 1869 had not themselves condemned the operation of the agrarian law in Ireland, neither had they made an abortive attempt to bring relief to the tenants. But in 1880 all these circumstances occurred to excite the people to an unparalleled degree. There was, however, a period which formed a true analogy with 1880. That was the period of the tithe agitation. Then Ireland was convulsed by a movement for popular rights, such as that which engaged it at present. It was then engaged in a struggle to get rid of an impost that was not so bad as in 1880. They were then striving to get rid of a burden imposed by the Irish Church to the extent of £750,000. Now they were trying to get rid of an exorbitant rental amounting to £6,000,000 or £7,000,000 per annum; but, turning to the crime of the period, and the speeches of Mr. Stanley in this House, and of Earl Grey in the House of Lords, he found that in the year 1832, in one county alone, there were 32 murders, while in another county there were 60 murders, and in the whole of Ireland there were 172 murders directly connected with the tithe movement. Last year, however, the Returns showed a record of only 8 murders, 5 of which alone could reasonably be considered agrarian. Altogether, 9,000 crimes of the first degree of gravity were committed in connection with the tithe agitation; yet Earl Grey waited for two years, through 1831 and 1832, before asking Parliament to pass coercive measures. The present Government, however, who would almost sneer at the Liberalism of Lord Grey as an effete form of Whiggery, founding their demands upon Returns showing only about one-eighth of the amount of crime committed during the tithe agitation, wished to resort to a measure of coercion more drastic, offensive, and insulting to the self-respect of the Irish people than that proposed by Lord Grey in a far worse condition of things. The last speech of the right hon. Gentleman was expressed in an apologetic tone. He said it was a small enactment, all contained in one clause.

MR. W. E. FORSTER: I was misreported. What I meant to say, and what I think I said, was, that the Bill was a short enactment.

MR. SEXTON, continuing, observed, that this was the most extraordinary excuse ever made by a responsible Minister for striking at the liberties of a people. They could as effectually dispose of a man by shooting him at the heart as by killing him by inches. The celerity with which the action was accomplished was no excuse for its enormity. The right hon. Gentleman said that this Bill would only deal with offences which were already punishable by law; but the Bill proposed to punish anybody who was guilty of inciting to intimidation. That was extremely flexible language; and after the speech of the Attorney General last night he viewed the future of Ireland with great alarm. If a public speaker advised tenants not to pay full rents, the Attorney General would hold that that speaker was intimidating tenants who wanted to pay their full rents. They all knew that some tenants were mean and cowardly enough to evade the payment of rent by professing terror of the Land League. There were rogues who would be only too glad of any excuse. These were a class of men who discredited every popular movement. Again, if a public speaker gave the essential advice not to take farms from which tenants had been unjustly evicted he would be brought within the purview of the Bill. He said that the advice was essential, because the Irish landlord was an uncontrollable despot; and if his despotism was ever to be put an end to, it could only be by the united determination not to keep up a system of artificial and exorbitant rents. But if any speaker gave that advice, the Irish Privy Council and the Attorney General would say he was intimidating. If this Bill meant anything, it meant to strike them dumb—it meant to forbid them to advise the people to take the necessary measures of organization; and although the Chief Secretary had said that the Bill was not intended to apply to public meetings, it must be remembered that public meetings could not go on without public speakers; and if a speaker gave such advice as he had indicated, the Attorney General would console himself for his defeat in the Four Courts by putting into effective operation, under this Bill, the maxims he was unable to impress on an Irish jury. That was a mean and cowardly way of accomplishing the objects of the Government. Let them, if they would, pass a law abolishing the Irish Land League. Ah! but they could not do that. The Land League was impregnably legal. Its action lay within the inviolable domain of personal freedom. What it recommended the farmers, every individual had a right to do; and what an individual had a right to do, a whole community had a right to do. That which the Government were afraid or ashamed to attack with the means which the law placed at their disposal they had attacked under cover of this Coercion Bill. The right hon. Gentleman complained that his language about the power wielded by "dissolute ruffians" had been greatly misapprehended. But for this the right hon. Gentleman had no one to blame but himself, his language having been that of studied vagueness. He was so anxious to convince the intelligence of the House that the Land League and all connected with it were incriminated by recent proceedings with Ireland, and he so mixed up the lights and shades of the picture, that it was impossible to say to whom he was referring and to whom he was not. For instance, the right hon. Gentleman had spoken of ruffians hired by committees. Well, he knew of no committees except those of the Land League. He had as wide an experience as any man in Ireland; and, while it was not necessary for him or any other man to defend either the Irish people or the Irish Catholic clergy against any attacks made by so eminent a moralist as the Chief Secretary, still, he felt bound to say that the clergy of Ireland, who, in the majority of cases, were connected with the Land League, were a body of men who, for uprightness and for purity of life, for self-sacrifice and for self-denial, could bear comparison with any clergy in the world; and the constitution of the branches of the Land League in Ireland was made up in the towns of the most independent and honourable men of the merchant class; while in the counties they were made up of the best type of the Irish farmer. And when he spoke of the best type of the Irish farmer, he spoke of a type which possessed qualities of high-mindedness and devotion to principle which could not be exceeded by any class of people in the world. The right hon. Gentleman ought surely to have taken great care to let the public understand that he did not connect the meetings of the Land League and its branches with this hiring of dissolute ruffians. As a matter of fact, the Land League had great and good reason to do all in their power to prevent outrages; for they not only had the same horror of those mean and cowardly acts as other men, but knew that the landlords would seize upon the commission of outrages as a pretext for coercion, as a pretext for delay to remedial measures, and as a pretext to wreck the great popular movement going on in the country. The right hon. Gentleman also said that it might not unfrequently happen that the most powerful man in the district was some contemptible, dissolute blackguard, who enforced the unwritten law of the Land League. He (Mr. Sexton) confessed that this unwritten law was something that struck him with amazement. He could not understand what was meant by the unwritten law which the hon. Member for the City of Cork had drawn up. If it was drawn up it was not an unwritten law. The rules of the Land League, if they were referred to, were published all over the country; and these dramatic references to unwritten law which had been indulged in by the Chief Secretary could serve no other purpose than that of enlightening ignorant public opinion in England. There was no connection between those who committed outrage and the Land League; and it was most unfair and unjust of the Chief Secretary to endeavour to connect the Land League with the perpetration of crime in Ireland. He repelled that charge in language as strong as the Forms of Parliament would permit. Whoever the ruffians might be that either perpetrated or incited to outrage, they were not within the ranks of the Land League. If so, it was without the knowledge of the Land League; they were traitors to the principles of the League, which had used its influence against crime, first, by teaching the people the sufficiency of peaceful Constitutional action; and, secondly, by directly appealing to them not to commit crime. Those portions of the Bill which provided for the arrest of persons suspected of treasonable practices appeared to him to have been inserted for the purpose of eking out a miserable, inadequate case, and of paving the way for the successful passing of the measure by exciting the minds of the English people. The appearance of the proclamation which had been posted up here and there in the country did not constitute a sufficient reason for the introduction of the Treason Clause into this Bill. They all knew that there was no treasonable organization in existence; and even if it did exist, and if its members wished to take advantage of the present crisis to further their designs, they would not go upon the housetops to proclaim their intentions. That proclamation, instead of being the emanation of the Fenians, who generally conducted their business in a prudent manner, was the emanation of some enemy of agrarian reform, or of some person who wished to excite the minds of the Irish people at the present crisis, and, by urging the Government to adopt coercion, to bring Ireland into a condition which might be favourable for the application of a secret policy. He should not dwell further upon the miserable Blue Book Returns which had been laid before the House. He had read them through and through, and he wished other hon. Gentlemen did the same. The House would find itself in this unparalleled condition if, as the Government stated, they proceeded with this measure upon the crime of December. They would find themselves in a position in which no Legislative Assembly ever found itself before, legislating upon the crime of December without the Returns for December being before them, especially in view of the fact that former Returns had been damaged, disproved, and destroyed. They now found themselves legislating upon crime for the month of December without knowing whether the Return for the month was like the Return for all the other months; whether it was half composed of those absurd and idle threatening letters; and whether the remainder of the outrages was made up of the heterogeneous mass of cocks of hay with the tops knocked off, gates taken off their hinges, panes of glass broken, and several things which were scarcely worth the attention of a police court magistrate, much less of a Legislative Assembly considering whether it would take away the liberties of a nation. He would only say of those Returns that they did not, in the slightest degree, bear out the ingenious and highly fanciful theory of the right hon. Gentleman that outrages proceeded upon a settled plan of progress with letters of intimidation. He hoped, on a future day, the conscience of the right hon. Gentleman would rebuke him for an observation he made—namely, that if there were so few murders it was because they were not necessary. That was a hard and undeserved statement to make against a law-abiding people. There was no evidence whatever that the murders which, unfortunately, had been committed arose out of any organized movement. In three out of the eight they sprang out of purely private quarrels; and, surely, five murders in a period of suffering and excitement could not warrant such a black imputation upon the character of a whole people. It would be describing the outrages which had occurred more accurately than they had been described by the Chief Secretary, if he were to speak of them as "a fortuitous concurrence of atoms;" and he would point out that in 95 cases out of 100 in which threatening letters had been sent, they had not led to the commission of any offence so serious even as the unhinging of a gate. Now, as to the arrests which would be made under the Bill, they were told that the reasonableness of the suspicion upon which anyone was to be arrested might be challenged upon the floor of the House. Well, even if he was to assume that the Representatives who were in sympathy with the people of Ireland were to retain their full rights of speech in that House—even if he was to take it for granted that these Irish Members could, in the future, continue to be Members of that Assembly in any practical sense of the term; he would ask what materials would be afforded them for challenging that suspicion, and what facilities for debate? The Chief Secretary said he would lay upon the Table of the House a statement of the grounds expressed in the warrant of the Lord Lieutenant for the arrests. Why, those grounds would only be that the Lord Lieutenant reasonably suspected somebody or other of committing or inciting to crime; and when a man was arrested and placed in gaol on suspicion, if hon. Members attempted to challenge that suspicion on the strength of such material, they would find that they engaged in fighting a shadow. The Chief Secretary—of whom the landlords would be very glad to make use until they could find somebody more to their taste—and the Law Officers of the Crown would be enabled by the Bill to embarrass, impede, dislocate, debilitate, in fact, he might say annihilate, the Land League; for it would be impossible for any member of it to make a speech without rendering himself liable to arrest. When they considered into whose hands the operation of the Act would fall, however they might desire to limit that power, they would see that a determined and universal effort would be made by the magistrates and the police to apply that power to the members of the Land League. To take the county of Sligo, there was not a single one of the magistrates in that county who was not either a landlord or a land agent, and who did not regard the local officers of the Land League as a kind of social plague. With regard to the police, the ease and comfort and promotion of every policeman, from the sub-constable to the county inspector, depended upon the countenance and favour of the local magistrates. The magistrates would desire, above all things, to throw into gaol the efficient members of the Land League, in order that they might be able to collect their rents; and, therefore, when the magistrates communicated to the police a strong desire that reasonable suspicion should be directed towards a certain quarter, the police would not be very slow to apply what was given to them, and would not be slow—in the language of the Bill—to suspect the efficient members of the Land League of committing or inciting to acts of outrage. The Royal Land Commissioners, in their Report, recommended that every tenant in Ireland should be declared the proprietor of his improvements for the last 35 years; and now the landlords of Ireland, being aware that the Government were probably about to pass a Land Act on the basis of that Report—to put the tenants, as the Commissioners said, in a position differing very little from that of proprietors of the soil, would, led and encouraged and incited by the passing of this Coercion Act, effect wholesale clearances of their tenants, and wholesale confiscations of the improvements of the tenants before the new Act could clothe them with those legal powers which would place them in the possession of their own property. The Chief Secretary, immersed in the multifarious duties of his Office, would be unable to exercise an efficient supervision over the magistracy, and would be obliged, in conformity with the traditions of the official mind, to accept, as a general rule, the Reports which reached him from the various parts of Ireland. He would, in the next place, turn to the speech of the Prime Minister, who based his argument as to the necessity for coercion on the difference between the number of committals and convictions in the case of agrarian as compared with non-agrarian crime. Now, in dealing with that argument, he would point out that there were agrarian crimes, such as the lighting of incendiary fires, the houghing of cattle, and the sending of threatening letters, which, from their very nature, it was almost impossible to detect; and it was, therefore, no fault of the jury system that their perpetrators were not identified and punished. Three-fourths of the total of the agrarian crime on which the Government relied was of that character; while non-agrarian crimes were, for the most part, of a nature which rendered detection comparatively easy. But, notwithstanding that fact, he failed to see that the police had been much more successful in regard to the detection of ordinary than of agrarian crime. He found, for example, that out of 330 cases of incendiary fires which were non-agrarian, there had been only 41 arrests; out of 124 cases of cutting and maiming cattle, also non-agrarian, only 8 arrests; out of 427 cases of sending threatening letters, non-agrarian, only 14 arrests; while the number of convictions were, out of the 330 cases, 8; and of the 124 cases, 4; there not having been a single conviction in Ireland last year out of the 427 cases of sending threatening letters. It was, indeed, beyond doubt that the police had failed as completely, and more so, in dealing with a certain class of non-agrarian crimes than in securing the arrest or conviction of the perpetrators of agrarian offences. As to the land meetings, which the Prime Minister said had always been followed by an increase in the number of outrages in the districts in which they were held, he maintained that it would be a thing unparalleled, inexplicable, and mysterious that that should be the result in the case of men who in their speeches counselled peace and order for the sake of religion and morality. The truth of the matter, however, was that the distress which prevailed in Connaught, in Clare, in Cork, and in Kerry led the people there to appeal more frequently than elsewhere to the Land League for help, and that a larger number of meetings was, consequently, held in those localities than in other parts of Ireland. He would also point out that in 1879 in Cork, where no meetings were held, there were 15 cases of agrarian crime; in Kildare, where there were also no meetings, 12; and in Louth, 8. There were 16 counties, with the names of which he need not trouble the House, in which nearly half the number of meetings held by the League took place; and yet the average of crime was, he found, less in those than in counties in which there had been no meetings. But there was one other fact which conclusively established the fallacy of the contention of the Prime Minister, and that was that two-thirds of the total agrarian crime was committed within what might be called the zone of distress in the West of Ireland. It was clear from the condition of things in the most miserable portion of Ireland that crime arose, not from the Land League meetings, but in spite of them. Another matter which was only imperfectly understood in that House was that athre at of eviction, in many cases, drove men to desperate acts quite as much as an eviction itself. From the Parliamentary Papers it appeared that on the 31st of August there were 374 unexecuted decrees of eviction in Ireland, and at the November Sessions there were 926 more, which showed 1,200 unexecuted decrees of eviction in the hands of the sheriffs in Ireland. If the landlords had executed only 100 of these, the people of Ireland had to thank the Land League for it—the Land League, which had forced the Government to bring in a measure of Land Reform, for which, without the Land League, the people of Ireland might have had to wait for a generation. He asked the Chief Secretary to consider the fact that there were 1,200 writs of eviction hanging over their heads—those writs which the Prime Minister said were equal to sentences of death. They were sufficient to account for the great excess of crime in the December quarter, for it was in that quarter that the plea of destitution came — that threefold want of food, fuel, and clothes. But there were other reasons also. Crime was not necessarily the immediate consequence of eviction. A tenant evicted in March or April might find work, during the summer. It would be in the winter months that he would first feel the pinch of distress, and be tempted into unlawful courses; and it would be then, too, owing to the length and the darkness of the nights, that the greatest facilities for crime would present themselves. He would illustrate the evils too often attendant upon evictions by referring to a distressing case of which he had just heard. It was that of a poor, industrious woman, with eight children, who had been deserted by her husband. She had regularly paid her rent; but her landlord —a noble Lord and a gallant officer—desiring to recover the best portion of her land, involved the poor woman in the difficulties of litigation; and the result was that she, with her eight children, was evicted. In the night the wretched family crept back to their home. The result was that the woman was sent to gaol, and ultimately became a raving maniac, and the house was burnt down by the orders of the bailiff of the estate. As for the children, five of whom were girls, they would have been subjected to the degradation of the workhouse, had not Michael Davitt, on behalf of the Land League, sent £10 for their immediate needs. That case seemed to him admirably to epitomize the working of British rule in Ireland. The legal oppressor bore an unstained name before the world, the victim was helpless, and the man who intervened to mitigate the harshness of the law became himself the object of the law's vengeance. If the law had failed in Ireland, it was not because of the Land League movement, but because of the inherent secrecy and the peculiar circumstances of agrarian crime, and the impossibility of identifying criminals. In conclusion, he said he had attempted to grapple with facts which might be disposed of with an epigram or a sneer from the Treasury Benches. He believed that the inevitable effect of the passing of this Bill would be to convulse society generally throughout Ireland. It would arm the despotic classes—who had never used their power wisely, who had never shown they possessed judgment or reason, who were unable either to conciliate or subdue—with an unlimited power to inflict private wrong and public oppression, a power which would be quickly used to deprive thousands of the tenantry of those rights of property in the soil which were to be conferred on them by a Land Bill. It was a shameful thing that a great Legislature, on the eve of passing remedial measures, should say to the landlords—"Make the best use of the time you can; turn out all the tenants you can; confiscate their improvements; put yourself in the position to claim higher rents. We give you a period of unrestricted despotism to allow you to take advantage of the slowness with which we are passing our remedial measures." He believed that the passing of the remedial measures themselves would be delayed by the course the Government was taking. If they had brought in the remedial measures first, the Tories in the House, and the great bulk of the Members of the other House, would have given them a more rapid passage in the belief that the Coercion Bills were to follow; but coercion having been placed first, they would get all they wanted, and would offer to the Land Bill an opposition so strenuous that the time that would elapse before it passed into law would be sufficient to enable the landlords to inflict unspeakable hardships upon their tenants. He feared that the effect of this unfortunate Bill, introduced by a reversal of an intelligent, and statesmanlike policy, would be to retard, perhaps for years, the return of the suffering community of Ireland to a state of order, tranquillity, and peace. There was a bitter aphorism that "he who would not be ruled by the rudder would be ruled by the rock." The Government refused to be steered in their Irish policy by the true rudder of the judgment of the Irish people. Panic and prejudice were the helmsmen of their ship; and he prophesied that before long that ship, the ship of their Government, would be shattered to pieces on the rock of an outraged people's indignation.

Mr. T. FRY said, as a young Member of the House, he wished to explain the reasons influencing his vote at this important crisis. The House was asked to vote for this measure because the Government thought it was absolutely necessary for the maintenance of law and order in Ireland. If he voted with the Government on this occasion, he should do so with the greatest reluctance and pain. If hon. Members on the Ministerial side had been asked to accompany a Conservative Government into the Lobby in support of a measure like this, they probably would, almost to a man, have refused to do so. It was in consequence of their confidence in those who now occupied the Treasury Bench that they supported the Bill. If it were painful for them to vote for this Bill, how much more so must it be to the Prime Minister and the Chancellor of the Duchy of Lancaster, who had spent their long lives in furthering measures which had for their noble object the freedom of the people in all parts of the world, and especially measures which were for the good and benefit of the people of Ireland? When, however, they saw two such friends of liberty ready to support the measure, he thought Liberal Members might follow their example on account of the confidence they had in the Government. At the same time, he hoped that in Committee the Government would agree to abandon the retrospective action of the Bill, and to accept the Amendment of the noble Lord the Member for Woodstock (Lord Randolph Churchill), limiting the operation of the Bill to one year. He was certain that if hon. Members for the North of England had told their constituents that they were going to accompany the Conservative Members into the Lobby in support of this Bill, the result of some of the elections would have been very different. His view of coercion was that of Grattan, who, in 1787, speaking in the Irish Parliament against the Coercion Bill of Fitzgibbon, said—

> "Ireland needed coercion, it was true; but it was the coercion of tenderness, the coercion of justice, the coercion which should appeal to the generous, warm, and noble temperament of the Irish people."

Much as he deplored that the Government could not see its way to bring in the Land Bill before the one under discussion, he trusted that when it did appear it might be of such a character that he should vote for it with as great pleasure as he should vote that night with regret.

Mr. LALOR said, that the right hon. Gentleman the Leader of the Opposition (Sir Stafford Northcote), in saying that the Government could not buy off Irish agitation, and must postpone remedial legislation, reminded him of a cartoon which recently appeared in a comic paper, representing the Prime Minister as a doctor holding up the bottle of physic to a boy representing Ireland, and telling him that he could not have any sugar—or remedial measures—until he had swallowed the physic. England had often given Ireland doses of physic; but remedial measures did not often accompany them. He did not wish to detain the House long. He merely rose to protest against this cruel, unjust, and mischievous measure. In his opinion, it was the most unjust Bill which had been brought in against Ireland during the last 50 years, even by a Whig Government. Tyrannical powers were to be used on the mere suspicion of policemen, and in accordance with the wishes of despotic landlords and their agents. Her Majesty's Government had admitted that the number of murders committed in Ireland was proportionately less than the number in any other part of the Queen's Dominions. As for incendiary fires, he might remark that burnings in Ireland were not unfrequently caused by owners themselves, in view of getting compensation. Moreover, at times when incendiary fires were of frequent occurrence in England, coercion was not applied to this country. There were miscreants in Ireland whose interest it was to support the existing land system. Indeed, he believed that many of the crimes in Ireland were committed, if not by the landlords directly, by their agents and the hangers-on of the rent offices. He did not assert that Ireland was free from crime, or ask that criminals should be exempt from punishment; but he deprecated the passing of a law which would punish innocent men, and shed everlasting discredit and disgrace upon its promoters.

MR. NELSON, with the permission of the House, desired to call attention to a resolution unanimously passed by the Guardians of the Claremorris Union, on the 10th of February, protesting against coercive legislation. He had no objection to the division being taken without delay, and would rather not waste a moment of time; but he had, at least, a right to express his solemn conviction that England could not govern Ireland. The sooner the House came to that conclusion the better it would be for the peace and welfare of the two Islands. They might rule Ireland, but they could not pacify her. A distinguished lawyer once said in an Irish Court that the people who did not make their own laws were a nation of slaves. Irishmen in that House were not making their own laws; but they were determined that they would make their own laws, which law was the unanimous expression of the minds of the people, and the expression of a majority of the people. Ireland was not making her own laws. Ireland was not governing herself. He could not, as a reader of history, understand what were the impassable barriers which prevented the people of Ireland from once again meeting together in their own capital and making their own laws. If the people of Ireland were polled to-morrow it would be found that the great majority would oppose coercion in any form. He wished that the Leader of the Opposition (Sir Stafford Northcote) was now in his place that he (Mr. Nelson) might refer to some arguments which the right hon. Baronet had put forward last night with all the simulated fervour which was common to all men who were a little doubtful of their own moral position. Amongst other things, the right hon. Baronet uttered the axiom that agitation demoralized. Now, he said that there never was a boon or a blessing obtained for humanity that was not obtained by agitation. He heard it said the other evening that they all paid their debts reluctantly. He assented to that idea, and said they were especially reluctant to pay a debt when their consciences told them that that debt was an unjust one—a debt which, though it was legal, was one which was produced by brute force. During last year he visited the homes of many of the distressed families in Ireland. He found them living upon Indian meal, supplied by the charity of Australia, of America, or it might even possibly be China. If he were asked to say whether those people should sell their meal in order to pay the landlords, or use the meal for the purpose of feeding their famished children, he should not hesitate a moment as to the advice he should give. He should tell them—"Feed your family first, and if anything remains give it to the landlords." As to the expression "landlord" they would have to examine that in Dublin. They would have to tell the world that the relations between landlord and tenant were analogous to the relations between the owners of a plantation and the men, women, and children which he purchased. They would be able to prove in an Irish Parliament that the relation in which the landlord stood to the land was immoral. His complaint was, that the land system in Ireland was unjust. For the last 700 years there had been two classes of outrages in Ireland. The outrages of one class had always been patronized by England, whilst the outrages of the other had always been held to be treasonable, felonious, disloyal, and turbulent. The hon. Member for Belfast (Mr. Ewart) stated the other night that this Coercion Bill was necessary for the maintenance of law and order. He knew Belfast longer and better than the hon. Member, and he had seen the furniture dragged out of the house of the Catholic tenant and burned opposite the door, whilst the peace-preserving magistrate walked past smiling at the joke. They wanted to put an end to that condition of desperate hatred which had been generated by English rule. He did not see why they could not agree with Britannia, with her well-developed figure. The Irish people were taunted with being poor; but they had been made so by England crushing her commerce. England had destroyed the Irish manufactures, and taken away the only source from which the Irish father could feed his children; and now England talked to them patronizingly. He had no fancy for a prison, and thought if he were placed in one he should be like Mr. Davitt, and complain that the air was not warm enough; but he would say that the measures which, for the last 50 years, had been passed in London for the government of Ireland had only tended to produce heartburnings. The outrages on human industry came from the laws, and the only relic in Ireland of English ascendancy was the landlords. He expected that the landlords would soon have to submit to a new arrangement. The title by which the men obtained the land would have to be examined; and also whether they had fulfilled the conditions under which they obtained it. James I. took possession of land in Ulster to which he had no more title than he had to the salmon in Lough Neagh, and gave estates to men on conditions that had often been ignored. Indeed, many of the grants were resumed for that very reason by Charles I., and were bought by London City Companies when the Monarch was in difficulties. How could the possession of Irish land by City Companies be justified?

Mr. SPEAKER: I must remind the hon. Member that the Land Bill is not now before the House.

Mr. NELSON, continuing, said, he had stated some time ago that he would submit like a lamb to the authority of the Chair; and he was prepared to do that now. He was too much in earnest to joke; but he would say that the titles to land in the North of Ireland were bad, and when Parliament talked of forcing the Irish, he thought they would be able, perhaps, to show that they were only seeking to force the landlords to give back their leases and to fulfil their conditions, or they would do what the landlords themselves were very fond of doing, give them notice to quit. In that House he found a difficulty in speaking his full mind, and he only wished it would be possible to relegate the Irish Members to Dublin. If that were done, Englishmen might, perhaps, be able, in the words of the poet Gray,

"To scatter plenty o'er a smiling land,
And read their history in a nation's eyes."

Sir PATRICK O'BRIEN said, he had listened to the hon. Member who had just spoken with pleasure. If he mistook not, the hon. Gentleman was a descendant of one of James the First's planters. He (Sir Patrick O'Brien) was not a descendant of one of those planters; but he was there to endeavour to create amongst, not only all religious, but all classes in Ireland, a community of interest and a community of sentiment. If it were not instinctive in him, he had been in the House long enough to acquire an antipathy to coercion of any free nation. In his opinion, a case had not been made out for this special measure; and he would, therefore, give it his opposition. In saying that he spkoe his own honest conviction, altogether uninfluenced by public clamour. In 1866 a large conspiracy arose in Ireland. Men met on the public highway and maintained that the authority of the Queen should no longer exist, that a Republic should be proclaimed, and that their doctrine alone should prevail. On that occasion Her Majesty's Government came down to the House and asked for the power to preserve the people by arresting the leaders of what he considered a mad organization. He was not one of the six who voted against that Motion. He did not play the patriotic part in that House on that occasion. He had the courage of his opinions, and in voting for the measure he considered he was discharging his duty in endeavouring to preserve his uninstructed fellow-countrymen from the dangerous measures which could only bring them to destruction. In 1871, when they had another Coercion Bill, he was not impelled by the same motives, and he opposed the Bill. He believed that if he was right in opposing the Coercion Bill of 1871, he was thoroughly justified in opposing the Coercion Bill of 1881. He was not here to assert that outrages did not exist in Ireland; but he did disagree with those Gentlemen who said that a system of outrage was universal. So far as the Province of Leinster, with which he was connected, was concerned, that statement was utterly untrue; and the county which he had the honour to represent had never been the centre of outrages. Why did he not support the Government Bill? Because he was not willing that every honest and quiet man in the country should be subjected to its provisions from the misconduct of men in Mayo, in Galway, in Kerry, and in parts of the county of Cork. He did not wish to dissever himself from his countrymen. When looking upon the effect of the Act, they had a right to recollect what would be its influence upon each individual member of society. He was not prepared to submit to arrest, or to the pains and penalties of crime, in consequence of the misconduct of the people, in the crimes to which he had alluded. Ireland had many grievances, and it had been his incessant work since he entered Parliament to bring about their remedy. He would, indeed, be an antediluvian Member who could rise in the House of Commons and say there were no grievances in connection with the tenure of land. He would have those grievances remedied, and remedied with all due diligence; and in the interim he would pass a Summary Jurisdiction Act. He would not give disturbers of the peace the opportunity of playing the martyr, but would shoot them through their pockets by means of fines and summary jurisdiction. He remembered an old couplet well known in the County Clare which was *apropos* of his position—

"Death threw his dart at Bindon's heart,
But how was he astounded
When from the part as with a start
The weapon quite rebounded.
'Ho! ho!' quoth Death, and drew his breath,
'My slaughtering arm you mock at;
But here's a blow shall lay you low,'
And smote him through the pocket."

Had that course been taken there would be no posing as martyrs; and hon. Friends of his, who, no doubt, rivalled Madame Sevigne in epistolary and Gibbon in historical writing, would have lost their chance of delivering in that House Demosthenic orations. If a man were fined on Monday for what he had done on Saturday night, he would not go away with that radiant expression which ought to characterize an Irish countenance. He should not forgive himself if, after his long connection with public affairs in Ireland, he did not say a word for those to whom his country owed so much, the officials—["Oh, oh!"]—yes, the Irish officials; but he admitted that the system of appointing the local magistracy in Ireland could not be defended. It was wrong that the appointments to the magistracy should be virtually in the hands of the Lords Lieutenant of counties, whether Whig or Tory. But many of the Lord Chancellors in Ireland were most to blame in the matter. It must be admitted, however, that it was not always easy to get proper persons for the magistracy in Ireland. It might occur that some hon. Gentlemen opposite might desire certain persons to be included in the Commission of the Peace, to whom Voltaire's lines might apply—

"Les loups vout desoler la terre
Nos bergers semblent entre nous
Un peu d'accord aver les loups."

That was not his desire; he wished a thorough reform of the local magistracy, but not in that direction. It might be unpopular to say so; but, to his knowledge, the resident magistrates in Ireland, as a body, had done their duty ably, honestly, and efficiently. Failing a sufficient supply of magistrates elsewhere, it was the duty of the Government to appoint in greater numbers resident magistrates who could be called to account in that House for their actions. He had, therefore, no fear of the resident magistrates. He felt bound to defend the police from the charges which had been made against them; and, in his opinion, the idea of turning the 14,000 men who composed the Constabulary force into an A or B Division was ridiculous. He would not have them turned into an army of spies for the sake of creating debate in that House. He regrettedthat an hon. Member should have used some strong language with regard to Mr. Justice Fitzgerald. That Judge was a credit, not only to Ireland, but to the Three Kingdoms. Men of the highest position in the Legal Profession in this country spoke of Mr. Justice Fitzgerald as an ornament to the Bench, and not only as a humane and careful Judge, but as an honourable and high-minded gentleman. There was not a man in Ireland who knew Mr. Justice Fitzgerald who would not bear him out in saying that such was his deserved reputation. As for himself, he had promised to advocate a particular system of Land Reform, and that he was prepared to do. He believed those who followed a different course were acting in a way that was injurious to the country; and if he were to lose his seat for what he did he would say what a great man, Pope Hildebrand, had said—"I have loved justice and hated iniquity, and therefore I die in exile." The hon. Member for Sligo (Mr. Sexton), had made a quotation from a philosopher with whom, no doubt, he was intimately acquainted, Epicurus, when he described the outrages in Ireland as a "fortuitous concourse of atoms." But, however that might be, he was not prepared to accept the views of the hon. Gentleman on many other points. Perhaps he (Sir Patrick O'Brien), as an atom, might be permitted to say of the Chancellor of the Duchy of Lancaster, that though he had associated himself now with a measure which might properly be called one of coercion, he should not forget how the right hon. Gentleman had suffered and worked in the cause of his country. It would require many other acts in addition to what he had done on this occasion to make him forget the right hon. Gentleman's services to his country; and no matter what might be said in that House, whether by hon. Members from the North of England, Ireland, or Scotland, the services the right hon. Gentleman had rendered to Ireland would ever rest deep in the hearts of the Irish people.

MR. BYRNE said, he wished to place on record his strong and determined opposition to this measure of coercion for Ireland. This country owed a great deal to Ireland for past neglect. Being without manufactures, and having no encouragement for its fisheries, the competition for land in Ireland was not only keen, but had the effect of raising rack-rents sometimes to impossible rents. The greed for land made the people agree to pay higher rents than their cooler judgment told them the land was worth. Assuming, for argument sake, that the landlords were just and generous, they were not in a position to do justice to their tenants, because, being tied up and encumbered, they were not free agents, and could not give the same length of leases and the same encouragement to tenants as landlords in England could. It was, therefore, clearly the duty of Parliament to amend that state of things. As for emigration, at best it was a desperate remedy. He had himself witnessed scenes which were perfectly heart-rending of people driven from their native land. He had more than once in the docks of Liverpool, and elsewhere, seen emigrants take with them, as their most precious possession, some of the soil of their country; and when asked why they did so, they would say it was to put in the coffin with them when they were dead. They also took with them bitter memories of the injustice served out to them in their own land. The Government said that the first and most immediate cure for the ills of Ireland was coercion, and promised that remedial measures would follow. Coercion was likely to be realized; but he had strong doubts of the Government being able to pass remedial measures. Coercion would bring into play one whose occupation for some time past had been gone—the informer. The Bill applied to any person being in Ireland, and there was no occasion to prove his crime. It was only necessary that he should be "reasonably suspected." He ventured to say that some proof ought to be offered which would satisfy the resident magistrate or the Chairman of Quarter Sessions that the person was not lightly suspected. This measure would place the lives and the liberties of the people in the hands of the common informer. They had experience in Ireland of men being taken from their families, simply because they were suspected by some informer or petty official. The police were not the best qualified persons to detect crime. He contended that agrarian crime in Ireland had been greatly exaggerated. What Ireland wanted was, not coercion, but remedial measures promptly brought forward and wisely administered. He, therefore, asked the Government to minimize coercion, and to bring in a comprehensive Land Bill in a kindly and conciliatory spirit.

SIR H. DRUMMOND WOLFF wished to ask the right hon. Gentleman the Chief Secretary to the Lord Lieutenant whether the Government had considered the possibility of applying the provisions of this Bill to persons reasonably suspected of punishable offences who might be subjects of a foreign State? In 1848 there was a long Correspondence between Lord Palmerston, then Secretary of State for Foreign Affairs, and the Minister of the United States with reference to two persons named Ryan and Bergen, subjects of the United States, who had been arrested. It had always been a maxim of International Law that while the municipal law was paramount in the country itself, a sovereign State whose subjects had been arrested under that municipal law had a right to see that justice was administered, and that the trial was properly gone through; and if any American citizens were arrested under this Act, no doubt the United States would insist on a public trial. In the case of Ryan and Bergen the technicality was avoided by the Lord Lieutenant of Ireland giving them up. We ourselves had, on several occasions, resented the arbitrary arrests of British subjects in foreign countries. He recollected two or three cases of that kind. In 1848 and subsequent years, when British subjects were arrested in Austria and Italy, the Representatives of this country invariably insisted that they should be tried before they could be detained. There was, therefore, considerable risk of a collision with foreign Governments if, under the operation of this Bill, their subjects were arbitrarily arrested. In 1848, to obviate this difficulty, an Alien Act was passed, which enacted that if any persons were reasonably suspected of opposition to the law of the country they could be expelled at once, and on refusing to go could be imprisoned. He thought it would be wise for Her Majesty's Government, before this Bill was read a third time, to seriously consider this question, so that in their desire to assert the reign of law in Ireland they should not bring this country into collision with any of Her Majesty's Allies.

SIR JOSEPH M'KENNA said, he did not think that a good case had been made out for the second reading of this Bill. He admitted, however, that, although the proved amount of crime in Ireland had been greatly minimized, that still there remained a sufficient amount of crime undisputed to call for the most serious and grave consideration. At the same time he should vote against this Bill, as he thought the suspension of the Habeas Corpus Act was likely to prevent people from calling for the proper remedial legislation. He hoped, therefore, that the Government would now promptly proceed with their promised land legislation.

MR. W. E. FORSTER: The hon. Member for Sligo (Mr. Sexton), in a certainly able speech, said that we were proceeding with this Bill with feverish haste and break-neck speed. His description is one which it is difficult to understand considering the time that this discussion has already taken. I am so far open to his charge that I am desirous not to delay the House from the division which I hope will take place in a few minutes. It is, however, due to the discussion that I should make one or two remarks. The hon. Member for Sligo stated that he wondered I had not apologized for the incorrectness of my estimate of apprehensions, compared with outrages—that, instead of being 16 per cent, the proportion was about 23 per cent. Since he made that statement, I have looked at the report of my speech, and also at the Returns. There must have been a mistake, and very likely it is my own mistake. I wish to state that the real proportion of apprehensions to agrarian outrages—including threatening letters—is 11½ per cent, and excluding them, 22½ per cent. I am sure I was glad to hear from the hon. Member that according to his statement, and according to his wish and intention, the objects of the Land League were so innocent as he described; but I can only trust that the future will more clearly prove that than has the past. The hon. Member made an allusion to "Boycotting," and said that the Land League had never recommended "Boycotting." That statement was hardly consistent with the general clearness and ability and candour of the hon. Gentleman's remarks. It is quite true that the word "Boycotting" is not introduced into any of the rules; but the notorious speech of the hon. Member for the City of Cork (Mr. Parnell) at Ennis, which really sketched out the action of the Land League for the succeeding months, described "Boycotting" as clearly as it could be. What we have to deal with is the stopping of outrages. It is not so much a question as to the action of the Land League as it is how we can stop that intimidation which undoubtedly prevails in Ireland. I do not know that I need say more than that I feel, after the speeches that have been made, that there remains in the mind of an enormous majority of this House, and of the country generally, a conviction that the more they have looked into the subject, the more clearly they are convinced that there has been, and that there is, a system of intimidation prevailing in Ireland—that that system of intimidation is made possible by outrages which the ordinary law cannot prevent; that the result is that the ordinary law has been, and is, paralyzed, and that the law of the Land League has been made supreme. The hon. Member for Sligo said I had no right to speak of the unwritten law. I was not the person who invented the term "unwritten law." It was invented by the chief leader of the Land League, and has been used often by his friends. The object of the Bill is to prevent the perpetration of these outrages. For that purpose we are obliged to take the power of detaining men for a time not exceeding 18 months. If we knew of any other way in which we could stop this intimidation, and stop these outrages, we would adopt it. We know of no other way. Though we are aware that in doing this we are interfering with a much-valued Constitutional right, yet we remain still of the opinion—and I believe we shall be supported by the country, as we are by Parliament—that we have no other course to adopt, if we are to fulfil our present duty of protecting person and property. The hon. Member for Wexford (Mr. Byrne) said he hoped we would minimize coercion as much as possible and promptly bring in a good Land Bill. That is our object. Our object will be to use the powers contained in this Bill as little as possible. I think the prospects of a good Land Bill are better than they ever were before. I entirely and absolutely disbelieve that there is in the country, or in any part of the country, or in any place—even in that "other place" which has been so often alluded to—any intention or wish not to give a thoroughly good Land Bill, which will be a searching, comprehensive reform of the state of things in Ireland. The hon. Member for Youghal (Sir Joseph M'Kenna) has made a most extraordinary argument against the Bill. He said that in stopping crime you will take away the wish to have a good Land Reform. I do not think that argument will have any weight or influence whatever. What we ask the House for is to let us maintain peace, liberty, and order in Ireland. Let us get this necessary measure passed as fast as we possibly can, and then let us, with that anxiety and determination to succeed which the subject demands, see if we cannot improve the conditions of landlord and tenant in Ireland, so that the reasons why Coercion Bills have so often been found necessary may for ever be removed.

Question put.

The House *divided*:—Ayes 359; Noes 56: Majority 303.—(Div. List, No. 29.)

Main Question put, and *agreed to*.

Bill read a second time, and *committed* for *To-morrow*.

SOUTH AFRICA—THE WAR IN THE TRANSVAAL—ENGAGEMENT WITH THE BOERS.—QUESTION.

Sir STAFFORD NORTHCOTE asked the Secretary of State for War, Whether he could give the House any information with regard to another engagement which was stated to have taken place between the British troops and the Boers in the Transvaal?

Mr. CHILDERS: Sir, in reply to the Question of my right hon. Friend, I will read to the House the only telegram which had reached the War Office up to a quarter past 4 o'clock this afternoon. It is in these words—

> "From General Officer Commanding Natal and Transvaal, February 9."

We believe that that is a mistake for February 8.

> "Communication between this and Newcastle having been interrupted by Boers, I moved out this morning with five companies of the 60th Rifles, two field and two mountain guns, and a detachment of mounted men to patrol the road, leaving two mountain guns and one company of Rifles on a commanding point on this side of Ingogo. I crossed the river with the remainder of the troops."

That we understand to mean with four companies of the Rifles.

> "On the rising ridge beyond the Ingogo the enemy showed in considerable force. I seized the plateau, and was immediately vigorously attacked on all sides by the Boers, who received very large reinforcements during the day. The attack was maintained from 12.15 p.m. till nearly 6 p.m., but was repulsed on all points. The Boers drew off towards sunset, and I brought in the force. Captain MacGregor, Staff; Captain Greer, R.A.; and Lieutenants Garrett and O'Connell, 60th, killed. Lieutenant Parsons"

(as to this name we have some doubt),

> "A. D. Pixley, Haworth, and Thistlethwayte, 60th, wounded. About 150 men killed and wounded. The Boer loss, judging by the nature of the attack and the number of the wounded seen being carried away, must have been very heavy"

As I have stated, that is the only telegram received up to a quarter past 4 o'clock.

MOTIONS.

SEA FISHERIES (CLAM AND BAIT BEDS) BILL.

On Motion of Mr. Chamberlain, Bill to further amend the Law relating to Sea Fisheries by providing for the protection of Clam and other Bait Beds, *ordered* to be brought in by Mr. Chamberlain and Mr. Ashley.

Bill *presented*, and read the first time. [Bill 83.]

ENTAIL (SCOTLAND) BILL.

On Motion of Mr. Baxter, Bill to amend the Law of Entail in Scotland, *ordered* to be brought in by Mr. Baxter, Mr. M'Lagan, Mr. Robert Duff, and Mr. Barclay.

Bill *presented*, and read the first time. [Bill 84.]

MARRIED WOMEN'S PROPERTY BILL.

Select Committee *nominated*:—Mr. Bellingham, Mr. Jacob Bright, Mr. Davey, Mr. Attorney General, Mr. Grantham, Mr. Gregory, Mr. Gibson, Mr. Hastings, Sir Henry Holland, Sir Henry Jackson, the Judge Advocate General, Mr. Hinde Palmer, Mr. Pemberton, Mr. Round, and Mr. Schreiber:—Five to be the quorum.—(*Mr. Hinde Palmer.*)

House adjourned at a quarter before Five o'clock.

HOUSE OF LORDS,

Thursday, 10*th February*, 1881.

MINUTES.]—Public Bills—*First Reading*—Local Government (Ireland) Provisional Orders (Clonakilty, &c.)* (31); Consolidated Fund*.

Select Committee — Rivers Conservancy and Floods Prevention* (15), The Marquess of Lansdowne and The Earl Beauchamp *added*.

CENTRAL ASIA — CORRESPONDENCE BETWEEN RUSSIA AND THE AMEER OF CABUL—UNAUTHORIZED PUBLICATION OF THE CORRESPONDENCE.

QUESTION.

The Duke of SOMERSET asked the noble Viscount the Under Secretary of State for India, Whether he can give the House any information of how it is that Papers of very great importance, and which have been promised by the Government to be laid on the Table of their Lordships' House, have been communicated to the "Standard," and appear in that journal yesterday morning?

Viscount ENFIELD: My Lords, in reply to the Question of the noble Duke, I have to state that the Department of the India Office is not aware how the statement or the Papers which appeared in *The Standard* yesterday morning were communicated to that organ of public opinion. I may inform the noble Duke and your Lordships that with regard to these letters 103 copies were printed in the India Office, all of them being marked "Very confidential." Thirteen copies were sent to India, including two to the then Viceroy, Lord Lytton. Fifteen others were either used at the India Office, or sent to official persons in England; and the remainder, no further issue having taken place, were counted yesterday morning at the India Office, and were found to be correct. Therefore, I am unable to explain to the noble Duke how those Papers came to be communicated to *The Standard* newspaper.

SOUTH AFRICA—THE TRANSVAAL—INSURRECTION OF THE BOERS—NEUTRALITY OF THE ORANGE RIVER FREE STATE.

QUESTION. OBSERVATIONS.

The Earl of CAMPERDOWN said, that, seeing the noble Earl the Secretary of State for the Colonies in his place, he wished to ask him a Question of which he had given him private Notice, with reference to the neutrality of the Orange River Free State during the present rising of the Boers of the Transvaal against British authority. Their Lordships were aware that the present scene of military operations was in Natal territory. Natal territory ran in a wedge-like shape between the Orange River Free State and the Transvaal; and it was almost the point of junction, at Laing's Nek, that the Boers had selected as the place to offer opposition to Sir George Colley's advance. After Sir George Colley's force was repulsed last week, it retreated to a place called Hatley's Hotel, where it was now encamped; but, on Monday last, a new force suddenly appeared in his rear. A considerable number of Boers—a mounted force — appeared between Newcastle and the camp. They severed the communication between Newcastle and the head-quarters and captured some waggons; and on Tuesday they fought a very severe action, the details of which their Lordships must have read with the most painful interest. What he (the Earl of Camperdown) wished to know was who were those Boers, and whence they came? They could not belong to the same force which was encamped at Laing's Nek, and which opposed Sir George Colley. They might possibly be Boers of the Transvaal who had crossed the Buffalo; but such was not the generally accepted opinion of those who were competent to judge. *The Times'* Correspondent, on February 8, said that—

> "A large patrol of Boers, estimated at 150 to 200 men, is on this side of the Ingogo, and it is expected to cut the telegraph wire. A body of 1,000 Boers is in rear of the left flank of the column in laager. They must have passed through the Free State."

It seemed, at all events, probable that those Boers were either subjects of the Orange River Free State who, from an intense feeling of sympathy with their brethren of the Transvaal, had issued from that territory, and were now actively operating against the British forces, or they were Boers of the Transvaal, who had been permitted to pass through the territory of the Orange River Free State. If either of those hypotheses was true very serious questions arose. It was manifestly contrary to the duty of a neutral State either to permit armed expeditions to start from its territory, or, assuming that they were entitled to belligerent rights, to allow either of the belligerents to pass through its territory. President Brand, of the Orange River Free State, was known to many of their Lordships to be a Ruler far too wise, and too well aware of the duties of neutrality as also of the power of this country, to have permitted his subjects to transgress the duties of neutrals if he was able to prevent it. But if it should appear that he had been unable either to prevent the Boers of the Transvaal from passing through his territory, or to prevent his subjects from making an armed expedition, it might become a question, if one of the belligerents was permitted not to respect neutral territory, how far the other could be expected to do so. It was further important to ascertain what measures should be taken to put a stop to such proceedings, and, in any case, it was desirable that accurate information should be obtained with regard to these Boers at the earliest possible moment.

THE EARL OF KIMBERLEY, in reply, said, his noble Friend (the Earl of Camperdown) had given him private Notice of his intention to ask him whether he (the Earl of Kimberley) had any information as to a statement that appeared in the newspapers that some of the Boers engaged against our troops had passed over the Orange River Free State territory. His answer to his noble Friend was, that he had seen that statement in the newspapers, but that he had no information whatever on the subject; and he hoped his noble Friend would excuse him for not following him in the various observations he had made, because he was sure his noble Friend would see that, in the present position of affairs, it was not desirable, without the necessary information, to discuss matters of a very delicate and difficult nature.

TURKEY AND GREECE—THE BERLIN CONFERENCE—THE GREEK FRONTIER QUESTION.

QUESTION. OBSERVATIONS.

EARL DE LA WARR, in rising to ask the Secretary of State for Foreign Affairs, If he has any objection to state to what extent England and the other Powers entered into engagements at the Berlin Conference to secure to Greece the increase of territory as defined by the frontier line in the Blue Book (Greece, No. 3.); and to ask if any additional Papers can be laid on the Table of the House relating to this subject, said, he hoped the noble Earl (Earl Granville) would not think that he was bringing this question under their Lordships' notice at an inopportune moment. He was induced to do so, because recent events had shown that there was considerable divergence of opinion as regarded the interpretation of documents with reference to the question now pending between Turkey and Greece as to the engagements into which the Powers had entered with regard to the Greek Frontier; and it was desirable that any doubts that were entertained on the subject should be removed as far as possible. He alluded especially to the Conference of Berlin and the clause of the Treaty of Berlin which was the basis of that Conference. Now, the 24th

Article of the Treaty of Berlin ran thus—

> "In the event of the Sublime Porte and Greece being unable to agree upon the rectification of Frontier suggested in the 13th Protocol of the Congress of Berlin, Germany, Austria-Hungary, France, Great Britain, Italy and Russia reserve to themselves to offer their mediation to the two parties to facilitate negotiations."

The suggestion in the Protocol referred to was that this rectification of Frontier should follow the Valley of the Salamyrias on the side of the Ægean Sea, and that of the Calamas on the side of the Ionian Sea. This would include Janina, and, he (Earl de la Warr) thought, also Metzovo, which was, in a great measure, the Frontier line desired by Greece, but to which Turkey objected as giving important mountain passes to Greece, independently of so large a portion of valuable territory. He came now to the Conference of Berlin, which, he presumed, was intended to carry out what was intimated in the Treaty, as stated in the letter of Earl Granville to Lord Odo Russell (June 9, 1880), where it was described as relating to the rectification of the Frontier of Greece. But it seemed now to be questioned to what limit the mediating powers of the Conference were extended, and how far its decisions were at first intended to be binding. The recent publication, however, of documents had clearly, as it seemed to him, established the fact that its conclusions were intended to be final decisions which could not be re-opened. He might, perhaps, be allowed to read a document annexed to a despatch of M. Tissot, the French Ambassador at Constantinople. He found in *The Livre Jaune*, the Parliamentary Book of France, the following Collective Note, which was forwarded by all the Signatory Powers of the Berlin Conference on the 25th of August to Abeddin Pasha, the Turkish Minister for Foreign Affairs:—

> "The Governments of the undersigned have examined the reply made by the Sublime Porte on July 26 last to the Collective Note, dated the 15th of the same month, communicating the final act of the Berlin Conference with reference to the rectification of the Greek Frontier. After setting forth in the same reply its objections to the conclusions of the final act of the said Conference, the Sublime Porte expressed a desire that the mediating Powers should authorize their Representatives at Constantinople to enter into negotiations with it with a view to arriving at an understanding respecting the definitive settlement of the outline of the Frontier and the points of detail and secondary moment connected with the question. The undersigned, by order of their Governments, have the honour to make known to his Excellency Abeddin Pasha that the decision of the Conference of Berlin, having been taken after mature deliberation, and after an attentive examination of the different tracings successively proposed by the Ottoman and Greek Governments, the mediating Powers cannot consent to the re-opening of the negotiations on the subject. They cannot but abide by the decision of the Conference which they have approved, and recommend it afresh to the Sublime Porte as in conformity with the Treaty and Protocol of Berlin. The Governments of Germany, Austria-Hungary, France, Great Britain, Italy, and Russia find themselves consequently unable to authorize the undersigned to accept any discussion as to the delimitation of the Frontier. They can only leave them the faculty of examining any proposal the Porte may have to make as regards the best mode of effecting the evacuation by the Ottoman authorities of the territories specified in the decision of the Conference, and the transfer of the same to the Hellenic Government.—HATZFELD, CALICE, TISSOT, GEORGE GOSCHEN, J. L. CORTI, NOVIKOFF."

That Collective Note was, it appeared, forwarded at once to Athens; and he would ask, whether it could have been understood in any other way by the Greek Government than as expressing the decision and award of the Powers with regard to the Frontier? It was in conformity with the Treaty and Protocol of Berlin; no further discussion was to be allowed, but only as to the best mode of effecting the evacuation of the territories by the Ottoman authorities; and what had been the consequence of that —the natural consequence? Ever since that time Greece had been arming, relying on the support of England and the other Powers; and the Army, which usually consisted of about 12,000 men, had assumed the vast proportion of upwards of 60,000. The population, which was not unmindful of its ancient traditions, was excited and eager for war; and it was a question whether, if the Government desired it, the national and popular feeling could be repressed. After referring to this document, it was, perhaps, unnecessary for him to ask attention to the Blue Book relative to the Conference. But there he found the same thing. The Frontier line, after much deliberation, was drawn, giving Janina and Metzovo to Greece; and in the despatch of Lord Odo Russell to Earl Granville, dated July 1, 1880, it was described as the "award" of the Conference. Also, in a despatch of Lord

Odo Russell to Earl Granville, dated June 29, 1880, he spoke of an Identic Note to be addressed to the Governments of Turkey and Greece, when notifying to them the final award of the Conference. Now, the words "final award" were a somewhat strong expression, if they were only intended to mean suggestions in the light of mediation; and it was hardly possible to suppose that Greece should not regard these decisions as conclusive, and indicating the intentions of the Powers. He could also refer to the language used by the French Plenipotentiary at the Congress of Berlin. M. Waddington said—

> "With regard to Greece, it is not, of course, the object of the Congress to afford satisfaction to the extravagant aspirations of certain organs of Hellenic opinion; but he thought that it would be an equitable and politic act to annex to her populations which would be for her a source of strength while they are but one of weakness to Turkey."

And it was certainly with some surprise that he (Earl de la Warr) had heard statements of a very different kind recently put forward, especially by the French Minister for Foreign Affairs, to the effect that it was only advice which was given by the Conference, and that it had no other force; and, further, what was very remarkable, that the Powers would not reject a compromise under which Janina and Metzovo should remain Turkish, and that, as he understood, after having deliberately affirmed that they could not re-open the question. These statements, so far as he was aware, had not been contradicted. He might say they were rather confirmed by the project which had been put forward of a new Conference; and he trusted the noble Earl would be able to give some explanation to their Lordships, and to lay further Papers on the Table of the House.

Earl GRANVILLE: My Lords, I trust the noble Earl (Earl de la Warr) will not think that it is due to any want of respect on my part if I ask him not to press me to give a categorical answer to the Question which he has put to me. The settlement of the Greek Frontier Question is one of paramount importance; but, owing to its difficulty, its solution has been in abeyance for nearly three years, and I am very sensible of the absence in this House of any pressure for information on the subject, which I attribute to a desire not to add to its difficulties. I am afraid that if I made a positive declaration in relation to it, it might increase the risk of war between Turkey and Greece. My hope that that war may be averted rests, firstly, on my knowledge that all the Powers are most anxious in their desire that that war should be averted; and, secondly, on my ignorance that any important differences of opinion exist between them as to the best mode of arriving at that result. Papers will be laid on the Table this evening, and other Papers will follow very soon.

SUPREME COURT OF JUDICATURE ACT, 1873—THE ORDER IN COUNCIL—OFFICES OF THE LORD CHIEF JUSTICE OF THE COMMON PLEAS AND LORD CHIEF BARON.

MOTION FOR AN ADDRESS.

Lord DENMAN, in rising to move—

> "That an humble Address be presented to Her Majesty that the Order in Council, a copy of which was laid on the Table of the House on 6th January 1881, for reducing the number of Divisions of Her Majesty's High Court of Justice and for abolishing the titles of Lord Chief Justice of the Common Pleas and Lord Chief Baron and reducing their offices to an equality with the offices of the other Judges who are not ex officio Judges of Her Majesty's Court of Appeal, may not come into operation,"

said: My Lords, it is painful to me to make the Motion of which I have given Notice, after the hope expressed by the noble and learned Lord on the Woolsack, that no Address might be presented to Her Majesty the Queen on the subject. The majority of the Council of Judges is very great, and we have not their reasons; but, as to a minority, in 1856, I divided this House on the Appellate Jurisdiction Bill, and only four—of whom I am the sole survivor—voted against 44; but in "another place," "a young man from Northampton," by carrying a vote against the same measure, saved the country £35,000 of additional salary beyond his pension to Lord Wensleydale (who did not want it), and £120,000 which, in the 20 years between 1856 and 1876, would have been payable to a Life Peer. Moreover, Her Majesty the Queen was graciously pleased to confer hereditary honours on Lords Wensleydale and Kingsdown, so that appeals were admirably decided. Money, however, is no object; and as to the sage distribution of justice, I hope that the House may be again recruited by such Lord Chief Justices of the Common Pleas as Lord Loughborough, Lord Gifford, Lord Wynford, and Lord Truro; and by such Lord Chief Barons as Lord Lyndhurst and Lord Abinger. In 1832, my noble Relative the Lord Chief Justice of the King's Bench found 500 causes in Middlesex only entered for trial for the Sittings after Michaelmas term; and the delay at *Nisi Prius* was two years, to the enormous profit of the Marshal; and, if a new trial were granted, another two years' delay occurred; but, at the end of 1837, there was much improvement; and now, if the Courts are merged into one, the Court of King's Bench, in the future, will be quite overloaded; as there are so many male heirs to the Throne—that Queen's reigns are sure to be again, like angels' visits, few and far between; and being, by my mother's side, a lineal descendant of a Lord Chief Justice of the Common Pleas, in the time of Queen Elizabeth—Sir Edmund Anderson—I feel anxious that neither the name of the Chief of the Court or of the Division should be extinguished. In 1838, the Act for enabling the Courts to sit in Banco after term greatly relieved the Court of Queen's Bench; and, in 1849, when my late noble Relative retired, every Writ which was placed at the head of every abstract was of very recent date. The late Lord Chief Justice Cockburn would not have faced willingly the responsibility of being head of one sole amalgamated Common Law Court. In January, 1881, 734 causes were entered for all the Common Law Courts—Queen's Bench, Common Pleas, and Exchequer (one or two being marked Chancery)—and about 16 without a jury were entered for all the Common Law Divisions; but in the Chancery Division every Court and its causes were specified, and a regular list beginning at No. 1 (Master of the Rolls Court) and No. 1 in each other Court. Counsel practised in only one of those Courts, taking a special fee for leaving his own Court, which was just, as giving the whole of his attention to one heavy case would necessitate the return of fees in many light causes. The credit in which the late Lord Chief Baron Kelly (my friend for 46 years) was held is shown convincingly by the entry for the Exchequer being the highest of all (by about 50 causes); the Queen's Bench being the next, and the Common Pleas the lowest; but still with quite enough causes to make a good beginning of a sitting, if not to finish all. It is very desirable that a Chief should preside in Banco over the review of all causes entered in his Court. There is a provision in the Judicature Act for a Court of Criminal Appeal being presided over by one of the three Chiefs, and there is nothing to prevent any Judge of any Divisional Court sitting to make up the quorum in it. Each cause, and every document, is ordered to be marked with the name of the Division which is chosen; it is adhered to possibly—if the entry has been wrong—and it also is capable of being transposed. Patronage, also, is equally divided between the three Chiefs—any Government may regret not having the appointment to so honourable and useful offices. One effect of my Motion will be to enable the noble and learned Lord on the Woolsack to explain his views. I believe the Judicature Act contains a clause empowering the Judges, with the aid of an Order by Her Majesty in Council, to abolish all Chiefs and Divisions of Courts, and to increase the number of Courts instead of diminishing them. The noble Lord concluded by moving the Address of which he had given Notice.

Moved, That an humble Address be presented to Her Majesty that the Order in Council, a copy of which was laid on the Table of the House on 6th January 1881, for reducing the number of Divisions of Her Majesty's High Court of Justice and for abolishing the titles of Lord Chief Justice of the Common Pleas and Lord Chief Baron and reducing their offices to an equality with the offices of the other Judges who are not ex officio Judges of Her Majesty's Court of Appeal, may not come into operation.—(*The Lord Denman.*)

THE LORD CHANCELLOR said, he would, in reply to the Motion of his noble Friend (Lord Denman) for whom he felt great respect, and also because of the intrinsic importance of the subject, endeavour to explain briefly the grounds on which the Council of Judges, which met at the end of November last, advised Her Majesty to make that union of Divisions in the High Court of Justice and reduction of offices which they thought should be made, and to which his noble Friend objected. When the Judicature Act of 1873 was passed, it was necessary, while uniting the jurisdiction of all the existing Superior Courts, to make some provision for the distribution of business between them; and it occurred to the Government to take the existing Courts as furnishing the main lines of that distribution, at least as far as the immediate transition and change was concerned. Thus it was that the five Divisions of the High Court of Justice were established. Of those five Divisions, two—the Chancery Division, and the Probate, Divorce, and Admiralty Division—were conversant with business in its nature and machinery distinct from, and not homogeneous with, the business done in the other three or Common Law Divisions, now called the Queen's Bench, Common Pleas, and Exchequer Divisions. In each of those Common Law Divisions there was some business which had been peculiar to the Court from which it took its name; Crown business in the Queen's Bench, registration business in the Common Pleas, and revenue business in the Exchequer. But all the Judges were equally well qualified, from their experience and practice at the Bar, to deal with every part of this special business; and with the highest and most important part of it, the Crown business of the Queen's Bench, they were all familiar, from presiding over criminal trials at the Assizes, and being members of the Court of Appeal in criminal cases. The general business of all those three Divisions was exactly similar and homogeneous. Therefore, although it was thought expedient to commence in that way when passing the Judicature Acts, it was the view of Parliament that it might become necessary at some future time to consolidate those three Divisions; and there were two clauses in the Act of 1873 indicating the views then entertained in this respect. The 75th clause enacted that there should be an annual meeting or Council of Judges at which they should consider the general operation of the new system from time to time, and advise upon any changes which they might think necessary; and Clause 33 provided that, on the recommendation of the Council of Judges, it should be competent for the Crown, by Order in Council, to unite together any of the existing Divisions; and, for that purpose, to reduce, amongst other offices, those of Chief Justice of the Common Pleas and Lord Chief Baron to an equality with the Puisne Judges; and that this might be done without new legislation, unless either House of Parliament should address the Crown against it. That being so, the Judicature Act came into operation two years afterwards. Its operation had not been without some drawbacks; but the opinion of the great majority of persons conversant with the administration of the law was, that it had answered its main purposes, and that the drawbacks were only such as, by the use of proper means, might be removed. Under those circumstances, on the occasion of the death of the late Lord Chief Baron in October last, it became the duty of Her Majesty's Government to hold their hands as to the appointment of a successor until a Council of Judges should have had an opportunity of considering the matter. Accordingly, with the concurrence of the late Lord Chief Justice, a Council of Judges was called, and that Council reported in favour of an amalgamation of the three Common Law Divisions. When the Council considered that question, they had to bear in mind the important facts that under an Act passed in 1879, all the offices hitherto attached to each of those Divisions had been consolidated, and were now worked by one set of officers, who were common to all the Courts; and that, under the existing Rules and Orders, the cause list of the *Nisi Prius* sittings in London and Middlesex was now made out without reference to the Divisions in which the actions were commenced. With regard, even, to the names of the Judges appointed since the passing of the Judicature Act, all titular distinctions had been abolished. Judges appointed to the Exchequer Divisions were no longer to be called Barons, but were, like all others, simply to be Judges of the High Court of Justice. In the nature of things, the three Divisions had been tending towards unity; and it was perfectly certain that each Judge in each Division was as capable as any other Judge of performing all parts of the business which came before any of them; so that nothing but practical inconvenience could be expected to arise from keeping up these Divisions separately. One almost unavoidable consequence of that separation was, that Divisional Courts were multiplied to an extent which convenience did not require or justify; and all arrangements for the best distribution of judicial power were liable to be impeded. The change was rendered the more desirable from the fact that Judges were, from time to time, withdrawn from their Divisions for an increased number of Assizes, and to preside over Election Inquiries. For these and other reasons, he had considered it his duty to ask the opinion of a Council of Judges on the subject. He was bound to state to their Lordships, as had been stated to the Council of Judges, that the opinion of the late lamented Lord Chief Justice was not favourable to the change. He had so great an admiration for that brilliant and mots able servant of the public, that he was very unwilling even to suggest anything which might seem to detract from the weight of his opinion on such a subject; but he might, perhaps, venture to say that the late Lord Chief Justice had not the reputation of being very fond of the changes introduced by the Judicature Acts; and he (the Lord Chancellor) was not sure that he looked at the question from quite the same point of view as that taken by Judges who were more recently appointed. However, such was the opinion of that great man. When the Council of Judges met they occupied two days, the 27th and 29th of November, in considering the question. Every one of them gave his opinion fully and deliberately, *seriatim*, and the result was that there was for the union of the three Divisions a majority of 18 Judges against 7, and that for the proposal to reduce the Chief Justiceship of the Common Pleas and the Chief Barony of the Exchequer to Puisne Judgeships there was a majority of 20 to 5. Two Judges were unavoidably absent. Of the opinion of one of those Judges, he (the Lord Chancellor) was unaware; but the other had, within the last few days, publicly expressed an opinion in favour of the changes in question; and he might add that all the Judges of the Court of Appeal, as well as all those of the Chancery Division, were also in favour of them. On the 29th of November, that conclusion was arrived at; but the Order in Council was not made until the 16th of December. The thing was not done in a corner, and public opinion was not inattentive to it. If there had existed a strong public opinion against the proposal, it would have been elicited; but he was not aware that any such strong opinion had been expressed either before, or after, the date of the Order in Council. It was, of course, in the power of their Lordships to Address the Crown against it; but he thought that, looking at the provisions of the Act of Parliament, looking at the state of opinion among the Judges, looking at the nature of the case, and to the fact that Her Majesty had been advised to make that Order in Council, their Lordships' would hesitate before doing so. He had not yet said anything as to the particular offices proposed to be abolished. He supposed that they would all, and lawyers in particular, part with such offices with some regret. But were they to maintain those two offices merely as prizes for the Bar? To have a Chief Justice of the Common Pleas without any Common Pleas and no Judges in particular over whom to preside, to have a Chief Baron without any Barons or Court of Exchequer, would be simply to create new offices, for they would really be new, and not the ancient offices. It would be simply maintaining highly-paid and salaried offices for purposes wholly unlike those for which they were originally created. They were, no doubt, coveted prizes in the Profession, and, for his part, he did not grudge such prizes to the Bar; but he believed that the old offices which would still remain, and the new offices which had been created in their Lordship's House, in the Judicial Committee of the Privy Council, and in the Court of Appeal, were prizes fully sufficient to command the services of the best men in the Profession. In proof of that, he had only to refer to the men who had formerly filled, and who now filled those offices. Far be it from him to disparage the distinguished men who had filled the offices proposed to be abolished; but he was not prepared to admit that they had always been superior to those to whom he had referred, or, he might add, to some of the Puisne Judges. He did not doubt, from the public spirit which distinguished the Bar, and the attraction of the other great offices to which he had alluded, that the greatest ability to be found at the Bar would always be available, at the proper time, for the public service. He might mention that since the Order in

Council had been made, a committee of Judges, members of the Bar, and Solicitors had been appointed, and were actively endeavouring to put into proper shape those alterations of procedure which might properly be consequent upon those particular changes, or suggested in other respects by the working of the Judicature Acts, in the three Common Law Divisions, and the Court of Appeal. With regard to the state of opinion on the subject, he was aware that a meeting of the Bar had been held, at which there was considerable difference of opinion, and that a not very great majority, as he was informed, were of the opinion expressed by his noble Friend; but those who composed that majority were, he believed, not all agreed in the grounds on which they based their opinion. On the other hand, the Incorporated Law Society, which represented the men who were, perhaps, most directly conversant with the interests of the suitors, had petitioned the other House of Parliament in favour of the proposed changes. He trusted their Lordships would not interpose to prevent changes which, from time and circumstances, could now most conveniently be made. No man could more regret than he did the loss of the late Lord Chief Justice of England; but that loss had taken place, the two offices in question were both now vacant, and he put it to their Lordships whether a more fitting or convenient opportunity than the present could occur for the union of the three Divisions, with its necessary consequences.

Lord **DENMAN**, in reply, said, that, in making the Motion, he had looked for support to the House. He was entirely in their Lordships' hands; and as he found himself supported by no promise of a vote, nor even by any speech, he would, for the present, withdraw it.

Motion (by leave of the House) *withdrawn.*

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (CLONAKILTY, &c.) BILL [H.L.]

A Bill to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the towns of Clonakilty, Dromore, and Navan—Was *presented* by The Lord President; read 1ª, and *referred* to the Examiners. (No. 31.)

House adjourned at a quarter past
Six o'clock, till to-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 10*th February,* 1881.

MINUTES.]—Public Bills—*Committee*—Protection of Person and Property (Ireland) [79]—R.P.

Third Reading — Universities (Scotland) (Voting) * [69], and *passed.*

QUESTIONS.

PALACE OF WESTMINSTER — HOUSE OF COMMONS—THE TEMPERATURE.

Sir **GEORGE CAMPBELL** asked the First Commissioner of Works, If he will consider the possibility of obviating the great variations in the heat of this House, and the excessive heat experienced on some comparatively mild days?

Mr. **SHAW LEFEVRE**: Sir, the Question of my hon. Friend appears to assume that there has recently been considerable variations in the temperature of this House. I am satisfied he is mistaken in this. The temperature is noted and recorded every hour in two parts of the House. The record for the past three weeks shows that a very uniform temperature has been maintained in the House, even during the inclement weather outside. It has never varied more than 4 degrees—namely, from 61 to 65. In the 41 hours' Sitting, on the 1st of February the temperature of the House at the Chair varied according to the record from 61 to 64, and at the Bar from 61 to 65, changing very slowly. This, I think, does very great credit to the officers responsible for the ventilation. An hon. Friend of mine, who closely watched the thermometers during that Sitting, fully confirms this. I believe it would be impossible by any other process to obtain a more equable temperature than this.

ARMY—UNIFORMS OF KILTED REGIMENTS.

Mr. **FRASER MACKINTOSH** asked the Secretary of State for War, Whether alterations in the Tartans worn by kilted and trews regiments are contemplated; and, if so, whether full time will be allowed for the consideration of a matter so interesting to many, before finally adopting any alterations?

MR. CHILDERS: Sir, in reply to my hon. Friend, I have to assure him that so delicate a matter as any alteration of the Tartan of Scotch regiments will not be decided upon without full consideration; but, probably, he is not aware of the facts which have led to this matter becoming urgent. Since 1870 all soldiers have enlisted, not for one, but for two regiments, and since 1873 all officers have been appointed, not to one, but to two regiments, and are liable to be transferred at the will of the authorities from one to another. For instance, the 42nd and 79th are two Scotch regiments, the men and officers of which belong to both. When the 42nd was abroad it was fed by drafts from the 79th to the extent of 452 men in four years, and now that the 79th is abroad vacancies in it have been filled by drafts from the 42nd to the extent of 157 men in one year. So as to officers, two have recently been promoted from the 42nd to the 79th, and the whole body of officers will, before long, be subject to this liability. It is evidently anomalous and unnecessarily costly that officers should be obliged to keep double sets of uniform, to say nothing of constantly changing the uniform of the men; and I think the time has come when this anomaly should be put an end to, and the two regiments have the same uniform. I understand that several of these cases are being satisfactorily arranged; and, as I have already said, we shall act with every consideration for the feelings of the officers and their friends in whatever changes may be ultimately necessary.

MR. ONSLOW asked the right hon. Gentleman if any opportunity for discussing the question would be afforded to the House before any alteration were made?

MR. CHILDERS: I think I may inform the hon. Gentleman that I shall state, when moving Estimates, the details of the combinations of two regiments which have been in force for 10 years, and I shall lay Papers on the Table. But I hope that the explanations which I shall be able to make will not render any lengthened debate on Tartans necessary.

STATE OF IRELAND—THE COUNTY OF LOUTH.

MR. BELLINGHAM asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been drawn to the proceedings at the late Quarter Sessions at Dundalk, county Louth, where there were but two cases at the Crown side of the Court; and, whether he is prepared, under these circumstances, to except Dundalk from the effects of the protection of Person and Property (Ireland) Bill? The hon. Gentleman explained that by a misprint Dundalk was mentioned as being the place which he wished to have exempted from the operation of the Act, instead of the County Louth.

MR. CALLAN asked the right hon. Gentleman, Whether, having regard to the fact that in the last Return of outrages no agrarian crime of any kind appeared to have been committed in the County Louth, he would exclude that county from the operation of the Act?

MR. W. E. FORSTER, in reply, said, that his attention had not been drawn to the proceedings at the Quarter Sessions mentioned in the Question of the first hon. Member. With regard to the second portion of his Question, he was not prepared to exclude any county from the operation of the Act, as it was impossible to say what the condition of such counties as Louth would be hereafter. All he could say was, that the Irish Government would most carefully consider what counties or districts should be proclaimed, with the intention of proclaiming only those when it was absolutely necessary to do so. He intended to state, before the Question of the hon. Member for the County Louth (Mr. Callan) was put, that he found that only two counties in Ireland had a smaller Return of agrarian offences than Louth, and it was one of the three counties in which no one was under special police protection.

MR. GRAY asked the right hon. Gentleman whether he could give the names of the three counties?

MR. W. E. FORSTER said, he had not got them then, but he knew he was right as to the number.

LAW AND JUSTICE—THE JUDICATURE ACTS (IRELAND).

MR. FINDLATER asked Mr. Attorney General for Ireland, Whether it be the intention of Government to cause inquiry to be made by the Lord Chanceller and Committee of Judges in Ireland into the working of the Judicature Acts in that Country in the same manner as has been promised with regard to the working of the Judicature Acts in England; and, if so, will the Lord Chancellor and the Committee of Judges be assisted by members of the Bar and solicitors as the Attorney General for England stated would be the case in the English inquiry?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): Sir, I cannot say that it is the intention of the Government to cause such inquiry to be made as is indicated by the Question of my hon. Friend. The Government, I must point out to him, have no power of interfering in matters of this kind, which lie altogether within the control of the Judges.

SOUTH AFRICA—THE TRANSVAAL—POLITICAL NEGOTIATIONS.

SIR GEORGE CAMPBELL asked the First Lord of the Treasury, Whether Her Majesty's Government will now offer to the Boers of the Transvaal the terms which they consider to be just, instead of enforcing unconditional submission before their terms are announced; and, whether the Government still believe that the Supplementary Estimate presented to Parliament will cover all the expense to be actually incurred up to the end of the financial year, and will not allow the Colonial authorities to raise money on post-dated bills as they did in the former African War?

MR. GLADSTONE: Sir, I may answer first, perhaps, the latter part of this Question. My right hon. Friend the Secretary of State for the Colonies informs me that the Supplementary Estimate which will be laid upon the Table will cover all the expenses to be incurred in connection with the rising in the Transvaal up to the end of the financial year. The last part of the Question refers to the powers of the Colonial authorities. Those powers are not under our control. The Colony enjoys responsible government, and the Home Government does not interfere in any case of this kind.

SIR GEORGE CAMPBELL explained that he referred to the Transvaal and the instructions given to Sir George Colley.

MR. GLADSTONE: Perhaps the hon. Gentleman will send me a memorandum of the circumstance to which he refers. I understood the Question referred to the Cape Colony. With regard to the most important part of the Question, I have nothing to add. It is—

> "Whether Her Majesty's Government will now offer to the Boers of the Transvaal the terms which they consider to be just, instead of enforcing unconditional submission before their terms are announced?"

We really have nothing to add to the communication already made, But I think it may be convenient that I should re-state to the House one of two important communications, and that I should make known to the House the substance of the other. On the 26th January, Lord Kimberley telegraphed to Sir Hercules Robinson as follows:—

> "I have received the following telegram from President Brand:—'Is it not possible to offer to the people of the Transvaal, through the High Commissioner, Sir H. Robinson, who is now in Cape Town, certain terms and conditions provided they ceased from armed opposition, making it clear to them how this is to be understood?' I have to instruct you to inform President Brand that if armed opposition should at once cease, Her Majesty's Government would thereupon endeavour to frame such a scheme as, in their belief, would satisfy all enlightened friends of the Transvaal community."

Since that time, in answer to a telegram from Sir George Colley, stating that President Brand urged him to state the nature of the scheme mentioned in the previous telegram, and to guarantee that the Boers should not be treated as rebels if they submitted, Sir George Colley received an instruction of which I shall give the substance. On the 8th instant, from the Cape, he was instructed to inform President Brand that Her Majesty's Government will be ready to give all reasonable guarantees as to the treatment of the Boers after submission, if they desist from armed opposition, and that the scheme will be framed with a view to the permanently friendly settlement of the difficulty; to which he was to add that Her Majesty's Government would be glad if President Brand would communicate to the leaders of the Boers this as well as the former message. It appears not to be quite certain whether President Brand had conveyed, in the regular and official manner, the communication previously made to him. These are the instructions issued by Lord Kimberley, and Her Majesty's Government do not think, in the present condition of affairs, that they can make any addition to them.

PUBLIC BUSINESS — THE CORRUPT PRACTICES AT ELECTIONS BILL.

CAPTAIN AYLMER asked Mr. Attorney General, If, considering the state of public business and the necessity for early legislation on the subject, he will consent to refer the Corrupt Practices Bill to a Select Committee, in order that the opinion of the Barristers engaged on Election Commissions may be considered, and a decision arrived at this Session?

THE ATTORNEY GENERAL (Sir HENRY JAMES): Sir, I am afraid it will be a considerable time before the Motion can be made for the second reading of the Corrupt Practices Bill; but when it is brought forward, the House will have an opportunity of considering any proposal for referring the Bill to a Select Committee. For my own part, I see no advantage to be derived from a Select Committee. The question is one on which I think it would be well for the Whole House to express an opinion.

POST OFFICE (TELEGRAPH DEPARTMENT)—INCREASE OF SALARIES.

MR. NORTHCOTE asked the Postmaster General, If a decision has yet been come to with regard to the claims of officers in the Telegraph Service for an improvement in their official position; and, if so, when the decision of the Post Office will be made public?

MR. FAWCETT, in reply, said, he could only repeat the promise which he had given on a former occasion, that there would be no unnecessary delay in conducting the Inquiry referred to in the hon. Gentleman's Question. As soon as a decision should be arrived at it would be made known.

LAW AND JUSTICE — THE JUDICIAL BENCH (SCOTLAND AND IRELAND).

MR. BAXTER asked the First Lord of the Treasury, If his attention has been drawn to the disproportionately large number of Judges in Scotland and Ireland as compared with England and Wales; and whether any measures are in contemplation for reducing the number in the two first-named Countries?

MR. CALLAN asked the First Lord of the Treasury, If his attention has been drawn to the disproportionately large arrears of business in the Superior Courts of Law in England and Wales as compared with Ireland and Scotland, whereby great inconvenience is caused to suitors; and whether any measures are in contemplation for increasing the number of Judges in the two first-named Countries?

MR. GLADSTONE: Sir, I do not see any direct connection between these two Questions. The implied statement of my right hon. Friend (Mr. Baxter) is that there is an excessive and disproportionately large number of Judges in Scotland and Ireland. The other Question states that there is a considerable arrear of business in England. With regard to the disproportionately large number of Judges in Ireland, that is a matter which was dealt with by the late Government in a measure which is now the law of the land. A certain number of reductions were provided for by that measure, and we are carefully watching its present and prospective operation. The Government are considering what measure should be taken for reducing the number of Judges in Scotland. As to the arrears of the business in the Courts in England, there is no doubt such arrears do exist; but it is quite another question as to whether they are due to any deficiency in the number of Judges. There is now a measure under consideration which, I hope, will have the effect of very considerably increasing the judicial power in England, and it is to the operation of that measure, and to the good arrangements made by the body of Judges, that we must look in the first instance for any diminution of the arrears.

THE COINAGE—FOURPENNY PIECES.

MR. MONK asked Mr. Chancellor of the Exchequer, Whether he can state the reason why the Bank of England refuses to receive worn fourpenny pieces at their full value in the same manner as other worn silver is received; and, whether, considering the great inconvenience which bankers experience from the similarity of threepenny and fourpenny pieces, the Government will take steps to call in the fourpenny pieces now in circulation?

MR. GLADSTONE: My hon. Friend asks me the reason why the Bank of

England refuses to receive worn fourpenny pieces in the same manner as other worn silver is received. I believe my hon. Friend has been misinformed. I am assured that the Bank does receive fourpenny pieces in that manner. In 1878, £2,200 worth of these pieces were withdrawn from circulation; in 1879, £2,110 worth; and in 1880, £3,910 worth. Altogether, £1,500 worth are now in the Bank ready to be sent to the Mint. No new fourpenny pieces have been issued since 1856, and the number now in circulation is exceedingly small. Only 5 per cent are fit to re-issue, and none are re-issued by the Bank unless specially applied for. The coin is dying out, and it is best to let it die out in peace.

INDIA—EAST INDIA (ECCLESIASTICAL DEPARTMENT)—CHAPLAINS' SALARIES.

Mr. BAXTER asked the Secretary of State for India, Whether, as promised last year, inquiry has been made as to funds supplied by the general taxation of India and spent in paying salaries of chaplains, not for officers in the service of the Queen only, but for planters and merchants and persons wholly unconnected with the Government; whether it is not true that more than half of the Church of England chaplains are at stations where there are no European troops, that of the forty-four chaplains in the cities of Calcutta, Madras, and Bombay, only nine minister to European troops, that at Berhampore the chaplain gets £1,000 per annum, while the number of officers and men who attend is eight; whether, notwithstanding the promise of the Indian Government to revise and reduce this expenditure, fresh chaplains have recently been appointed to stations where there are few or no officials; and, whether he will send out instructions to the Governor General to take vigorous measures for removing all just cause of complaint in this matter?

The Marquess of HARTINGTON: Sir, in reply to the Question of my right hon. Friend the Member for Montrose, I may say that a despatch was sent to the Government of India on the 17th of June last, asking for the information which I promised on the 31st of May last I would make an inquiry about. 1. The Government of India have called upon the Bishop of Calcutta to furnish this information, but no reply has at present been received. 2. The number of Church of England chaplains in India is 160, reduced by absentees on furlough to 139. Of the 160 chaplains, it would appear from the Parliamentary Return, dated February 5, 1880, that not more than 30 chaplains are at stations where there are no European troops, or one-fifth of the whole number. The same Return shows 30 chaplains—not 44—in the cities of Calcutta, Madras, and Bombay, and that at Berhampore, in the Madras Presidency, there is a retired chaplain, who receives, in addition to his pension, 1,200 rupees per annum, and a travelling allowance of 382 rupees per annum—not £1,000 per annum—from Government for ministering at that place and seven other stations. Chaplains are not provided for soldiers only; civil servants of the Crown, as well as military servants, are entitled to the services of chaplains. It appears from the Return already quoted that the military servants occupy four-fifths of the whole number of chaplains. The Government of India do not appear, so far as I can ascertain, to have paid sufficient attention to their promise to revise this expenditure, and I propose to call their attention again to this subject.

SOUTH AMERICA—GUATEMALA—EXECUTION OF A JESUIT.

Mr. HERMON asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to the following statement in the "Manchester Courier":—

> "A Jesuit priest named Gillett has been arrested at Guatemala, and afterwards shot by order of the President of that Republic. By the laws of Guatemala, the largest State in South America, Jesuits are banished from the country, and all who are found within the territory are liable to execution. Father Gillett had returned on account of his health, and not in his capacity as priest;"

and, whether the Government has any information on the subject, or will endeavour to ascertain the facts of the case?

Sir CHARLES W. DILKE: Sir, Her Majesty's Government have not received any confirmation of the intelligence to which the hon. Member refers; but Her Majesty's *Chargé d'Affaires* has been instructed to furnish a full report of the circumstances of the case.

ARMY (INDIA) — THE EUROPEAN FORCE.

Sir ALEXANDER GORDON asked the Secretary of State for War, If he will state to the House which of the responsible Advisers of the Crown is responsible to Parliament for the efficiency and the discipline of the European portion of the British Army in India?

Mr. CHILDERS: Sir, in reply to my hon. and gallant Friend, I have to state that it is difficult to describe accurately or exhaustively within the limits of a Reply to a Question the exact degree of responsibility which rests on the Secretaries of State for War and India, respectively, for the efficiency and discipline of the European troops serving in India. Practically, however, there is no difficulty in the matter. The Field Marshal Commanding-in-Chief, under the authority of the Secretary of State for War, is responsible for their regimental organization, and the Secretary of State for India takes them over on the implied understanding that such organization will be preserved. The Secretary of State for War is also responsible for their efficiency so far as it depends on a proper supply of drafts; and any offences against discipline on the part of a British regimental officer would be finally dealt with by him after the Commander-in-Chief in India and the Field Marshal Commanding-in-Chief here. But the Secretary of State for India is responsible for the efficiency of the British Force there so far as it depends on pay, equipment, barrack accommodation, and supply services generally.

ARMY—GENERAL PRIMROSE.

Lord ELCHO asked the Secretary of State for War, Whether a statement has been forwarded to the authorities at the Horse Guards by General Primrose, in vindication of his conduct at Candahar, and complaining of his removal from the command of the Poonah Division; whether that statement has been forwarded to the Indian Government; and, if so, whether he will lay upon the Table General Primrose's statement and the reply of the Indian Government when it is received?

Mr. CHILDERS: Sir, in reply to my noble Friend, I have to say that General Primrose has submitted a statement in vindication of his conduct at Candahar, which has been forwarded to the Government of India, under whose orders his removal from his divisional command took place. Correspondence of this character is always regarded as confidential, and I regret that I cannot undertake to lay it on the Table of the House.

PUBLIC HEALTH—SMALL-POX (METROPOLIS).

Mr. J. G. TALBOT asked the President of the Local Government Board, Whether he can inform the House as to the present condition of the epidemic of small-pox in the Metropolis, and as to the available accommodation for small-pox cases in the hospitals which are under the control of the Local Government Board; and, whether he will lay upon the Table any communications which he has received from the managers of the Metropolitan Asylums District on this subject?

Mr. DODSON: Sir, I regret to say that there is a considerable prevalence of small-pox in the Metropolis, especially in the Eastern and Southern districts, and at present there are no signs of its abatement. The actual number of beds available for small-pox patients in the hospitals under the control of the Metropolitan Asylums District is 700, of which 641 are now occupied; but arrangements are being made by the managers—to whom great praise is due for their efforts to meet the epidemic—by which, in the course of a fortnight or three weeks, nearly 250 additional beds will be placed at their disposal. If it were not for the unfortunate proceedings pending in relation to the Hampstead Hospital, 300 beds would have been available for small-pox patients in that establishment. I can have no objection to lay upon the Table of the House the recent communications from the managers to the Local Government Board on this subject, with the replies of the Board; but, as the hon. Member is on the Board of Managers, he is, doubtless, fully aware of the nature of the correspondence which has taken place.

INTERNATIONAL COPYRIGHT—THE UNITED STATES.

Lord JOHN MANNERS asked the President of the Board of Trade, Whether any negotiations are pending between Her Majesty's Government and that of the United States on the subject of copyright; and, if so, whether, before their conclusion, the opinion of Parliament will be taken?

Sir HENRY HOLLAND asked the President of the Board of Trade, Whether any negotiations are being carried on between this Country and the United States, with a view to secure to British authors copyright for their works in the United States; and, if they are, whether he can state to the House the nature of such negotiations, and the stage at which they have arrived; and, whether there are any Papers on the subject which can be laid upon the Table?

Mr. CHAMBERLAIN: Sir, it would be inaccurate to say that actual negotiations are in progress. On the 23rd of September we received from the Foreign Office a draft proposal communicated by Mr. Lowell, who was instructed to ascertain in conversation what Her Majesty's Government thought of the scheme. We learn from other sources that this proposal originated with Eastern publishers, who have suffered from the competition of the publishers in the Western and Southern States, who now reprint at lower rates the English books originally reprinted by Eastern publishers. We are also informed that there is great opposition to the proposals now submitted, and I am not sanguine that they will ever assume a formal shape. In dealing with the question, I was anxious to learn, in the first place, whether a Treaty on the basis of this proposal could be negotiated under the present Copyright Act, and I have been advised that if Her Majesty is advised that due protection is given by it to parties interested in books in this country a Treaty can be negotiated, including a condition that English books must be printed and published in the United States, but not including a condition that American books must be printed and published in England. The object is one which it is so desirable to secure in the interests of the English authors, that I thought it desirable to submit the proposal to the representatives of English authors and publishers, in order to have the advantage of their opinion. In doing so I asked their opinion, especially upon the length of term which should be allowed in America for the publication of an English book; upon the condition restricting the copyright of American books to books printed and published in this country; and upon a condition which was in substance to the effect that the books of an English author publishing with copyright in America should be sold to his own fellow-citizens in this country at as cheap a rate as that at which they are sold to Americans. I am still waiting for answers, which shall receive my most careful consideration. In reference to the second Question of the noble Lord, any proposal to allow the sale of American reprints in this country, or to require American books to be printed and published in this country, would need the sanction of Parliament. When the Correspondence is complete I shall be glad to lay it on the Table.

CENTRAL ASIA — CORRESPONDENCE BETWEEN RUSSIA AND THE AMEER OF CABUL—TRANSLATION OF THE CORRESPONDENCE.

Mr. ONSLOW asked the Secretary of State for India, Whether the Government now intend to lay upon the Table of the House a translation of the documents found at Cabul; and, whether, before their production, the Government would take means to have their translation verified?

The Marquess of HARTINGTON: Sir, in accordance with the promise which has already been given, the Government do intend to lay on the Table of the House translations of the Russian documents which have been found at Cabul. Those documents were, I believe, carefully translated in India with the assistance of the most competent persons whose services the Indian Government were able to secure. To refer them back to India for verification would, in all probability, be to cause a delay of some weeks if not months, and we have no reason to think that such a step is necessary.

IRELAND—CLARE COUNTY CLUB.

Mr. FINIGAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to a violent scene which recently took place in the Clare County Club, in which a justice of the peace presented a loaded revolver at the head of another justice of the peace and assaulted him; and, whether he will inquire into this case in the interests of ustice and order?

MR. W. E. FORSTER: Sir, I have no information on the subject; but if I am asked by a responsible person to make an inquiry into the circumstances, I shall have no objection to do so.

LAW AND JUSTICE (IRELAND)—THE CONNAUGHT CIRCUIT.

MR. TOTTENHAM asked Mr. Attorney General for Ireland, Whether it is essential to the due administration of the Law that the assizes for the Connaught circuit should always commence with the county of Leitrim; whether he is aware that the grand jury of that county have repeatedly, by resolution and otherwise, represented to the going judges of assize the great inconvenience caused to all county officials, grand jurors, constabulary, road contractors, and others, by the fiscal business having to be commenced on Friday, in order that it should be completed before the opening of the commission on Monday; and that the said grand jury have ineffectually requested that an arrangement should be made by which the assizes should commence in their county alternately with other counties on the circuit; whether some of the judges have proposed an alternate arrangement, which has been opposed by members of the circuit bar; and, whether he will endeavour to make such alterateration in the present mode of procedure as will meet the convenience of those interested?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): Sir, it is not essential to the due administration of the law that the Assizes for the Connaught Circuit should always commence with the county of Leitrim; but it has, I believe been found convenient for the public that the Assizes for the several counties constituting each Circuit should be held in some fixed order. As to the next two Questions, I beg to say that beyond what is implied by those Questions themselves, I have no knowledge or information on the subjects thereby referred to. As to the last Question, I have only to say that I have no control or power of interferfering in the matter.

DOMINION OF CANADA—GUARANTEED LOANS.

MR. ANDERSON asked Mr. Chancellor of the Exchequer, If his attention has been called to the fact that, in the Finance Accounts of the United Kingdom of March 1880, page 117, it appears that in 1867 we guaranteed a Canadian loan of £3,000,000 "for making a Railway from Riviere du Loup Quebec, to Truro Nova Scotia," and that in 1873 we guaranteed another loan of £3,000,000 "for the Pacific Railway and improvement of Canals," and that both these amounts are stated to be outstanding at the 31st March 1880, though with a small amount of Canadian Bonds (£351,600 and £86,400 respectively) held as security; whether he has observed that Sir Alexander Galt, the Canadian Minister, has stated publicly that the first of these loans had been entirely paid off, he, himself, when Finance Minister, having partly carried it out; and, whether he will state how the matter really stands, and, in justice to Canada, have our Finance Accounts corrected if they are really wrong?

MR. GLADSTONE: Sir, the statement made in the Finance Accounts of this country which is quoted by my hon. Friend is perfectly correct. But the impression conveyed is not perfectly accurate, because certain amounts are spoken of as securities for the payment of large sums. Those limited amounts are not properly described as securities, but are the product of a sinking fund provided by Parliament. The Finance Accounts are, however, quite correct, and I hope no impression will go abroad owing to the Question of my hon. Friend unfavourable to the Dominion Government of Canada, which has always been most honourable and careful in the fulfilment of its obligations with regard to the amounts guaranteed by this country. I have not seen the speech referred to by my hon. Friend as having been made by Sir Alexander Galt, the Canadian Minister; but I have no doubt that the statement alluded to has not reference to the loans mentioned in the Question, but to a loan of a much earlier date—I think as early as 1843. If that be so, the statement is perfectly correct; but I have no means of verifying the reference.

THE INDIAN MAILS—NEW POSTAL ARRANGEMENTS.

MR. MACFARLANE asked the Secretary of State for India, If, in consequence of the serious inconvenience caused to the mercantile community of the capital of British India by the new postal arrangements, he would be prepared to reconsider the case; and also how far the delivery of the Indian Mail in London on Tuesday is of such importance as to justify the inconvenience of which the merchants of Calcutta, supported by the Government of India, complain; if it is true that the Calcutta Mail is detained nine hours every week in Bombay; and, if he has received a petition from the Chamber of Commerce of Calcutta upon the subject?

THE MARQUESS OF HARTINGTON: Sir, the mercantile and banking community of the United Kingdom were very greatly dissatisfied with the delivery of the Indian mails under the new contract, and several memorials were received from the Chambers of Commerce on the subject; and a deputation came to the India Office in August last to urge that the arrangements should be so altered as to admit of the arrival of the mails in London on Monday. The Government of India were consulted as to the best mode of meeting the views of the mercantile community, both in this country and in India, subject to the condition that the mail should arrive in London not later than Tuesday. On the receipt of their Report, the Postmaster General was consulted; and, after a very careful consideration of all the interests involved, it was decided that, as it was impossible to meet the wishes of all parties, the greatest amount of convenience to the general mercantile community would be attained by directing that the mails should leave Bombay at 5 o'clock in the afternoon on Tuesday during the south-west monsoon, and on Thursday during the remainder of the year, so as to insure a uniform delivery in London on Tuesday morning. The new arrangement only begins with the mail leaving Bombay to-day (February 10); and it would be premature to re-consider the question till some experience has been obtained of its working. The Calcutta mail is timed to arrive in Bombay at 8.15 in the morning, which is nearly nine hours before the steamer leaves Bombay. A petition has been received from the Chamber of Commerce at Calcutta, in which it is stated that a memorial adopted at a public meeting is about to be sent through the Government of India. That memorial has not yet been received.

CRIMINAL LAW—LIBERATED POLITICAL PRISONERS.

MR. GRAY asked the Secretary of State for the Home Department, Whether any of the other political prisoners, liberated under the same conditions as Mr. Davitt, are still at large in the United Kingdom; whether Government intend to arrest them; whether, for a long period during the late administration, as well as the entire period during which the present Government has held office, Mr. Davitt and the others liberated with him declined to comply with the condition on the ticket of leave requiring them to report themselves periodically to the police; whether the breach of this condition would not in the case of an ordinary ticket of leave man involve his immediate committal; whether, in the case of Davitt and the others, the authorities were fully aware of and tacitly acquiesced in this deviation from the rule; and, if so, why this exception was made in their cases?

SIR WILLIAM HARCOURT: Sir, I am not aware whether any persons are now at large in the United Kingdom who have been liberated on license on the same conditions as Michael Davitt. If there be any such persons and their conduct should give the same cause for revoking their license as in the case of Davitt, Her Majesty's Government would deal with them in the same manner. I believe that during the existence of the late Administration the ordinary condition by which a convict is called upon to report himself to the police was not enforced with regard to Davitt, and that the same course was followed by the present Government. I am not aware that Davitt refused to comply with the condition, and although the refusal to report himself would justify his re-committal, it is not to be understood that that was the ground of the revocation of his license. I am unable to state the reason why the rule was originally relaxed by the late Administration; but I presume it was in consequence of the belief that such a special indulgence would not be abused. I was asked the other day a Question as to the treatment of Davitt with respect to his health, and perhaps I may now state that, according to the medical report which we have received from Portland, I find that he is in general good health, and that the bronchial catarrh from which he was said to be suffering at the time of his apprehension has almost entirely disappeared. It is further stated that he was feeling much better, and that he was perfectly satisfied with his treatment in hospital, and with the arrangements made for his comfort, and that his cough has quite gone.

SALE OF FOOD AND DRUGS ACT—POISONING OF HORSES WITH ARSENIC IN LINCOLNSHIRE.

MR. CHAPLIN asked the Secretary of State for the Home Department, If his attention has been called to a case of horse poisoning at Ruskington, in Lincolnshire, which was tried before the magistrates at Sleaford on the 10th of January, when it was shown that two horses, the property of Mr. Grist, of Ruskington, had been poisoned with arsenic by George Olive, the person in charge of them, and that one of them had in consequence died; whether he is aware that it was stated in evidence that arsenic sufficient to poison fifty horses had been sold by Mr. Smith, chemist, at Sleaford, to George Olive, and that it was entered in the chemist's book "to be given to horses;" and, whether the Government will take steps to check the indiscriminate sale of poison by chemists for the purpose of being given to horses?

SIR WILLIAM HARCOURT: Sir, with regard to this matter, I find that a person guilty of horse poisoning has been punished under the recent Act. As to the chemist who sold the arsenic, he might be punished, because the purchaser was under age. That, of course, would not entirely answer the Question, because the purchaser might be of full age, and the true remedy is in the amendment of the Arsenic Act, 1861, and if my hon. Friend would introduce a Bill for the purpose I should be happy to assist him.

CENTRAL ASIA — CORRESPONDENCE BETWEEN RUSSIA AND THE AMEER OF CABUL—TRANSLATION OF THE CORRESPONDENCE.

BARON HENRY DE WORMS asked the Secretary of State for India, Whether he has seen the translation of the Despatches found at Cabul, which is published in the "Standard" of to-day; whether the Despatches so published will be included in the papers presented to Parliament; and, whether the letter stated to have been written from Livadia by General Stolieteff on the 8th of October 1878, three months after the Treaty of Berlin, to the Afghan Minister at Cabul, stating—

> "Make peace openly, and in secret prepare for war;"—"send an able emissary, possessing the tongue of a serpent and full of deceit, so that he may, with sweet words, perplex the enemy's mind, and induce him to give up the idea of fighting you,"

is authentic; and, if so, whether Her Majesty's Government, notwithstanding this evidence of persistent Russian intrigue, intend to persevere in their policy of withdrawing all British influence from Afghanistan?

CAPTAIN AYLMER asked the Secretary of State for India, If it is true, as stated in the daily papers, that His Royal Highness the Field Marshal Commanding in Chief has reported strongly in favour of the retention of Kandahar? and if he will lay upon the Table any Report on this subject emanating from this distinguished officer?

MR. BRAND asked the Secretary of State for India, Whether he can give any information to the House in explanation of the circumstances which have enabled the "Standard" and other newspapers to publish the Cabul correspondence prior to its presentation to Parliament?

THE MARQUESS OF HARTINGTON: Sir, in reply to the hon. Member for Greenwich (Baron Henry de Worms), I have to state that I have seen the despatches published in *The Standard* of yesterday. Those despatches will be included in the Papers to be presented to Parliament. The letter stated to have been written from Livadia by General Stolieteff on the 8th October is, I believe, accurately given in *The Standard*, and contains the phrases which are quoted by the hon. Member. In reply to his final Question, I need hardly remind the House that these Papers have long been in the possession of the Government, and their presentation will not make any difference in the intentions of the Government in respect to Afghanistan. I am glad to take this opportunity of correcting a misapprehension which has arisen with regard to a phrase in the letter the hon. Gentleman has quoted. Although it is not one to which the hon. Member has himself called attention, it has been the subject of comment in several newspapers, and I think the misapprehension ought at once to be removed. I refer to the phrase in General Stolieteff's letter in which he says—

> "Therefore you should look to your brothers who live on the other side of the river. If God stirs them up to put swords in their hands, then, in God's name, go on."

That expression has been commented on as referring to the Indians and the Mahometans living on the Indian side of the river Indus. I am, however, assured by a very high authority indeed, and there is no reason why I should not state his name—Sir Henry Rawlinson—that the expression "the other side of the river," is a technical, geographical one, well known as referring to the Oxus, and that the passage in General Stolieteff's letter refers not to the Indus, but to the Oxus, and not at all to the Indians, but to the Russians; the meaning of that passage in the letter being that if there is a war between Russia and England, then the Afghans would join with the former—that is, the Russians—or, as he expressed it, "Go on, in the name of God." In reply to the hon and gallant Gentleman opposite (Captain Aylmer), it is true His Royal Highness the Field Marshall Commanding - in - Chief has written a Minute on the subject of the retention of Candahar. As I stated before, I am examining several Papers on this question, with the view of laying them on the Table of the House. Of course, being of a confidential character, that Minute could not be produced; but if His Royal Highness has no objection, it will be laid on the Table with the rest. In reply to the hon. Member for Stroud (Mr. Brand), I am quite ready to give to the House all the information in my possession with reference to the premature publication of these despatches in some newspapers yesterday morning. It appeared that several newspapers had received a description of the Cabul Correspondence from some person evidently well acquainted with it, although I am not aware in what shape it was communicated to these papers. *The Standard* newspaper printed a copy of a considerable portion of a confidential official memorandum. The circumstances of the preparation of that memorandum were as follows:—In April last, the Papers found at Cabul were collected together in an official memorandum for the convenience of the Government, accompanied by comments for the purpose of explanation and of connecting them together. I need not say that these Papers when presented to Parliament will be given by themselves, and unaccompanied by these official comments and explanations. The Paper was one of an extremely confidential character, and was printed confidentially in the Indian Office. A correct account was kept of every copy of this Paper issued, to the number of 28 in all, of which 13 were sent to India. I have seen the list of persons to whom this Paper was communicated in England, and I may say that I feel as certain as I do of anything that the improper communication to the papers was not made by any person who received this Paper in this country. Of course, I am not aware what was the actual distribution in India of the 13 copies; but I cannot help thinking that one of those copies must have been, inadvertently and in ignorance of its extremely confidential character, communicated by someone to the Press. That is all the information on the subject which I have in my possession. I cannot avoid saying that the person, whoever he was, who has made this extremely indiscreet, and, I think, improper, use of an official document, ought in fairness—if, as I conceive probable, it was done inadvertently—to come forward and state the part he has taken in the transaction, in order to relieve a considerable number of persons from what is a very unmerited and a very disagreeable stigma upon their official conduct.

ENDOWED SCHOOLS ACTS — SIR WILLIAM BOREMAN'S CHARITY.

Baron HENRY DE WORMS asked the Vice President of the Council of Education, Whether any, and, if so, what steps are being taken to reconstitute Sir W. Boreman's Charity, formerly the Green Coat School, Greenwich, as a training school for merchant seamen?

Mr. MUNDELLA: I am informed, Sir, that a draft scheme for Sir William Boreman's Charity, Greenwich, was published by the Charity Commissioners some time ago. It proposed to re-constitute the Charity as a school primarily for boys intended for sea service; but doubts were raised whether this would not create undue competition with existing schools of a similar character. The scheme was consequently kept back till the opinion of the parties interested could be ascertained. These doubts have now been set at rest, and the Commissioners have decided that the scheme shall be proceeded with on the lines already indicated.

COMMERCIAL NEGOTIATIONS WITH FOREIGN COUNTRIES.

Mr. MAC IVER asked the Under Secretary of State for Foreign Affairs, Whether he can give any information in regard to the present position of the Commercial Treaty Negotiations with France, Spain, and Portugal; and particularly to inquire whether all idea of a reduction in Wine Duties has been abandoned, unless accompanied by reduction in the Duties charged upon the manufactures of Great Britain and Ireland?

Sir CHARLES W. DILKE: Sir, in their commercial negotiations with France, Her Majesty's Government have lost no opportunity of bringing the representations of various industries and trades in this country to the knowledge of the French Government; but the latter wish to suspend all active negotiations until the settlement of the general tariff, which it is hoped will not be much longer delayed. As regards Spain, Her Majesty's Government have been in constant communication with the Spanish Government, and have repeatedly urged the removal of the differential duties at present levied on British produce. Her Majesty's Government trust that the Government which has just come into Office in Spain will favourably entertain the friendly representations which have been made. The case of Portugal differs from that of Spain, for though the duties are high and prohibitory, British manufactures enjoy virtually most-favoured-nation treatment, and Her Majesty's Government are steadily urging the adoption of a more liberal tariff. The question of the possible reduction of the Wine Duties in this country, apart from any commercial negotiations, is a financial question on which it is not within my province to pronounce an opinion.

CONTAGIOUS DISEASES (ANIMALS) ACTS—FOOT-AND-MOUTH DISEASE.

Mr. A. J. BALFOUR asked the Vice President of the Council, Whether it is not the case that, though there is no cattle disease in Scotland, nevertheless there are regulations as to the importation of Cattle from Scotland into England which are injurious to the Scotch producer and the English consumer, and which are not necessary for the protection of the English producer; and, whether it is the intention of the Government to take any steps and remedy this state of things?

Mr. MUNDELLA: Sir, there is no foot-and-mouth disease in Scotland, and animals can be removed from that country, or from any healthy part of the United Kingdom, without restriction, into any other part of Great Britain which is not declared an infected place or area. If the movement is into an infected area, the only licence required is that of the local authority into whose district the animals are moved. This licence is required by the Contagious Diseases (Animals) Act, 1878, Schedule 4.

Mr. W. N. NICHOLSON asked the Vice President of the Council, Whether any special instructions have been recently issued as to the disinfecting of the skins of animals suffering from foot and mouth disease that have died or have been slaughtered; and, if not, and if he finds it desirable, will he cause some such instructions to be published?

Mr. MUNDELLA: Sir, Article 55 of the Animals Order provides that animals which have died of foot-and-mouth disease shall be buried in their skins in quicklime or other disinfectant, or shall be disinfected and then taken to be destroyed under the licence and regulation of the Privy Council. Local authorities have no power to order slaughter for foot-and-mouth disease, and, consequently, there are no provisions for dealing with the skins of the slaughtered animals.

ARMY—THE MARTINI-HENRY RIFLE.

Colonel ALEXANDER (for Sir Charles Russell) asked the Secretary of State for War, When it is intended to issue the Henry-Martini Rifle to the Militia and the Militia Reserve?

Mr. CHILDERS: Not this year, Sir; but I am arranging to increase the stock of Martini-Henry rifles so as to be able to issue them gradually to the Militia, regiment by regiment, when the Snider rifles are exhausted. No Snider rifles have been manufactured for some years past, and the reserve is now low.

PUBLIC HEALTH—SMALL-POX (METROPOLIS).

Mr. W. M. TORRENS asked the President of the Local Government Board, Whether experience has not shown that the aggregation of small-pox patients in the metropolitan asylums has frequently been attended with a serious outbreak of the disease in the surrounding houses; whether the number of deaths in the metropolis from small-pox since 1870 have not on the average been twice as numerous as in the previous eleven years; and, whether any steps are about to be taken to provide more effectually than under the present system for the prevention and cure of the disease?

Mr. DODSON: Sir, it has been alleged that the aggregation of small-pox patients in the Metropolitan asylums has been attended with an outbreak of small-pox in the surrounding houses, and a careful inquiry has recently been directed by the Local Government Board to ascertain whether or not that allegation is well founded; but until the result of the investigation now pending has been ascertained, it would be premature on my part to express an opinion on the subject. There is no doubt that the average number of deaths from small-pox in the Metropolis since 1870 has been largely in excess of that in the previous 11 years; but that arises from including 1871, a most exceptional year, in the latter period. The deaths since 1870 amounted to 15,533, of which 7,878, or more than half, occurred in 1871. If, however, the 12 years 1860-71 are compared with the nine years 1872-80, it will be found that in the latter period the average number of deaths was only 850 as against 1,425 in the former period. As regards the steps taken to prevent the disease, I have recently caused circulars to be addressed to the various sanitary authorities and Boards of Guardians, pointing out the measures to be adopted with a view of insuring vaccination, and re-vaccination as far as practicable, and I am glad to be able to state that the local authorities generally have made a ready response to that appeal.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL—ALIENS.

Sir H. DRUMMOND WOLFF asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it will be possible in conformity with the law and comity of nations to apply the provisions of the Protection to Person and Property Bill (Ireland), when passed into law, to subjects or citizens of foreign States, that is to say, to arrest or detain them without trial when "reasonably suspected;" and whether, to avoid cases such as that of Bergen and Ryan in 1848, Her Majesty's Government are prepared to introduce clauses in Committee legalizing the expulsion of aliens suspected of contravening the law in the manner laid down in the Act 11 and 12 Vic. cap. 20?

Mr. W. E. FORSTER: Sir, as far as I can ascertain, it will be consistent with the law and comity of nations to apply the Protection to Persons and Property (Ireland) Bill, if, unfortunately, it should be necessary, to subjects or citizens of foreign States. This view is confirmed by what happened in 1866, when aliens were arrested without any of the difficulties which the hon. Member seems to foresee. The case alluded to of Bergen and Ryan in 1848 does not now apply. The matter was put on a different footing by the Naturalization Act of 1870, and it had no bearing whatever on the present Bill.

PARLIAMENT — BUSINESS OF THE HOUSE (URGENCY) — THE NEW RULES OF PROCEDURE.

Mr. GRAY: Mr. Speaker, I am desirous of asking your advice and instruction as regards a point that will arise in connection with the Protection of Person and Property Bill under the new Rules. I was desirous to move, on the Motion that you do leave the Chair, that it be an Instruction to the Committee to extend the provisions of this Bill to the entire of the United Kingdom. Under the new Rules which provide that you, Sir, shall leave the Chair without Question or Motion, and that the Preamble of the Bill shall be postponed in a similar way, the Clerk of the Table has informed me that he could not take such a Resolution as the one I propose to put, and I am apprehensive lest I should be told it was without the powers of the Committee to introduce such a provision by way of Amendment, and I am, therefore, in great difficulty as to how I shall bring forward the proposal I wish to put.

MR. SPEAKER: If the hon. Member desires to move an Amendment which is beyond the competency of the Committee to entertain, such an Amendment may be moved on the Report, or in the event of there being no Report of the Bill, he may still move it on the third reading by re-committing the Bill, with an instruction to introduce the Amendment which the hon. Member desires to move.

MOTION.

PRIVILEGE — THE "WORLD" NEWSPAPER—REFLECTIONS ON MEMBERS OF THIS HOUSE.

MR. ARTHUR O'CONNOR: Sir, I rise with great reluctance to call attention to a question of Privilege arising out of an article in *The World* newspaper, which contains, I believe, a gross violation of the Privileges of Parliament, and which I know to be a gross calumny on the character and independence of many Members of this House. The passages I complain of are contained in an article called "Squaring the Irish Members." I do not propose to read the whole of that article; but I will ask leave to bring the paper itself to the Table, in order that the passages to which I have referred, and which I have clearly marked, may be read by the Clerk, after which I will venture to offer some observations to the House, and will conclude with a Motion.

The *Clerk at the Table* read the passages from the article as follows:—

"The interesting little performance to which the select company of 36 Irish Members treated the House of Commons last week may, perhaps, be repeated before the end of the Session. It was part of a programme in which Mr. Parnell and his associates have consented to figure for a handsome pecuniary consideration. The Land League does not pay its delegates in the House of Commons 15 guineas a-week to sit still and do nothing. These gentry are for the moment cowed into decent behaviour; but their employers are likely soon to call upon them again for fresh exertions. . . . . So far as England is concerned, the Land League's reason of existence is to create disturbance, and to cause trouble in or out of Parliament. Its Representatives in the House of Commons are paid to do this, and if they cease to do it their salaries will be stopped."

MR. ARTHUR O'CONNOR continued: The House will, I am sure, believe me when I say that, having regard to the fact that the principal Business which is now under the consideration of the House has already been declared urgent, I should naturally shrink from bringing a question of this kind before the House if I could possibly avoid it, because I know there may be those who are inclined to suspect that the Members upon these Benches will be only too glad to avail themselves of any excuse, or of any material, which could serve as a block to that measure, which we are desirous, but, I hope, only by fair fight, to oppose. Under these circumstances, I should have shrunk, if I could have thought it consistent with my duty, from bringing the Question before the House; but after the House has heard the assertions of that article read by the Clerk at the Table, I think it will justify me in bringing the matter forward without Notice. The character, Sir, of the publication in which these articles appear is probably pretty well known to most Members of this House. It is one of those *journaux de société* which cater for the depraved taste of idlers, and I think it might fairly take for its motto that expression of a Roman poet, "*Quælibet in quemvis opprobria fingere sævus.*" The character of that publication would as a rule induce most men to treat it with contempt. I know I have been told personally by Members of my own Party that this particular publication should be allowed to sink to the limbo of contemptible trivialities without being formally noticed by this House. Sir, I can understand the position of these Gentlemen, but I cannot assent to their request. There are Members for Irish constituencies who have such ample fortunes that any aspersions of this kind fall upon them without any danger of injuring them; but I, Sir, am not one of these men. I am a poor man, known to be a poor man, and I am afraid that if I allow such an insinuation as this to go unchallenged and unrefuted on the very first opportunity that presented itself, there might be in the minds of many hon. Members of this House, whose generosity would prompt them instinctively to abstain from believing evil unnecessarily of anyone, a lurking misgiving as to whether there was not, after all, some foundation for such a charge. I cannot afford, for these reasons, to allow this article to pass unnoticed. For those who know me well I have no misgiving. They know what such charges are worth. For those to whom I am utterly unknown it is a matter of little importance, perhaps, whether the charges be true as regards myself individually, and upon their opinion I should not set much store. But there are Members of this House to whom personally I am almost unknown, who have had no particular means of judging of considerations of this kind, men with whom I am brought necessarily into certain relations, and whose good opinion, though they may not think it, I do most highly value. If it was on no ground but this, I should avail myself of the first opportunity to expose the atrocious calumnies in this article. As I have said, I am a poor man, but, thank God, I am independent. I do not look, I never have looked, and I never will look to any man, or to any body of men, no matter who, for assistance of any kind or description, direct or indirect, in any way in regard to my position in this House or anything connected with it. The House will, perhaps, allow me in justice to myself to mention, what under other circumstances I could not have thought of mentioning, that I became a Member of this House against my will—refusing invitations from three constituencies before I consented to stand as a candidate, and only consenting to serve after urgent representations had been made to me that by becoming a Member of this House I might be of some service to my country. The consideration of what I owed to my country, and not any consideration of what I owed to myself, was the motive which induced me to become a Member of this House. My being a Member of this House is matter of personal sacrifice, not only as regards means, but as regards time, which at my period of life is valuable to most men, and a sacrifice of social relations, because many old and dear friends whom I used often to see years gone by somewhere or other I now seldom meet; and in one particular quarter, where reparation can never be made to me, and from which I could naturally have looked for proud encouragement and guidance, I meet with just the reverse. God knows, Mr. Speaker, that the seat which I occupy in this House is not a matter of advantage with me, past, present, or prospective. But, while I hold it, I trust I shall hold it with honour; and if I thought that any section of this House, English or Scotch, could for one single moment believe the calumnies which are contained in this article in *The World*, I would not consent to remain a Member of this Assembly for one single day. But, Sir, I am not speaking on my own account only. There are other Members of the Irish Party for whom I am empowered to speak, and who repudiate as emphatically as I do the allegations contained in that article. If my honour is aspersed, so also is theirs; and if my character for integrity would be endangered if I allowed this article to pass unnoticed, so also would theirs. But not only as an individual do I bring this matter before the House, not only as representing a considerable section in this House, but also as a Member of this House I think I have a right to complain of these calumnies, and to ask the House to express its opinion upon their character. Sir, on April 24, 1844, in similar circumstances, Sir James Graham used the following words:—

> "Whatever concerns the character and honour of any hon. Member in this House is intimately and indissolubly connected with the House itself."

I wish, before concluding with my Motion, to draw the attention of the House to one or two precedents on which I found the course I mean to adopt. On February 27th, 1699, on a complaint made to the House of certain printed papers, one of which, presented and read at the Table, was subscribed Edward Stevens, and contained reflections on the conduct of the House in general, and in particular of Mr. John How, it was resolved that the said paper was a false and scandalous libel. Again, on February 26th, 1701, it was resolved—

> "That to print or publish any books or libels reflecting upon the proceedings of the House of Commons, or any Member thereof, for or relating to his service therein, is a high violation of the rights and privileges of the House."

And again, on April 20, 1844, on a complaint made of certain expressions made use of by Mr. Ferrand, and reported in *The Times*, with regard to Sir James Graham and Mr. Hogg, the

Chairmen of Committees, the House resolved—

> "That Sir James Graham and Mr. Hogg having denied the imputations cast upon them, and Mr. Ferrand having declined to substantiate the truth of them, this House is of opinion that the imputations contained in the said expressions are wholly unfounded and calumnious, and that they do not affect in the slightest degree the honour and character of the Members at whom they were aimed."

The last precedent I will mention is that of May 21, 1858, when complaint was made by Mr. George Clive, the Member for Hereford, of an article in *The Carlisle Examiner*, imputing to him corrupt conduct as Chairman of a Committee on a Railway Bill. The article in question was read, and it was ordered—

> "That Hudson Scott and Washington Wilkes, the printer and the proprietor of the paper, do attend the House on Friday next."

They were called in on that day and examined, and the House resolved—

> "That the said article is a false and scandalous libel on the Chairman of a Committee; secondly, that Washington Wilkes, in publishing the said article, has been guilty of a breach of the privileges of the House; and, thirdly, that Washington Wilkes, having been guilty of a breach of the privileges of the House, be, for the said offence, committed to the custody of the Serjeant-at-Arms attending the House, and that Mr. Speaker do issue his warrant accordingly."

Now, Sir, whatever may be the position of hon. Members who sit upon these Benches in respect of recent proceedings, whatever may be the amount of indignation or of acrimony in the minds of some hon. Members, in consequence of their recent attitude, I do trust, and I believe that there is sufficient sense of fairness in the minds of English and Scotch Members to afford to us the same protection which they did not hesitate to give to Sir James Graham and other Members of this House in times gone by. I, for one, Sir, am perfectly prepared to place my good name in the keeping of my English and Scotch Colleagues in this House, and at their hands I will await my vindication. I, Sir, on the precedents I have referred to, beg to move—

> "That complaint having been made of an article in *The World* newspaper of the 9th February, entitled 'Squaring the Irish Members,' the House will take the said complaint into consideration on Thursday next; and that Mr. Robson, of 20, Pancras Road, printer, and Mr. Frederick Evans, the publisher of the said newspaper, do attend at this House on that day."

Mr. SPEAKER: I must point out to the hon. Member and the House that, in point of form, there is an objection to the Motion. It proposes to take what the hon. Member deems to be a Breach of Privilege into consideration on a future day. Now, the uniform practice of the House is always to deal with questions of Privilege at once; and I must point out to the hon. Member that it is quite out of the question to postpone to a future day the consideration of that which he deems to be Breach of Privilege. I would, therefore, submit to the House that the hon. Member should be allowed to revise his Motion, for the purpose of meeting the objection raised.

Mr. ARTHUR O'CONNOR: With your permission, Sir, and that of the House, I will revise the Motion so as to make it declare that the publication of the article in *The World* newspaper is a Breach of the Privileges of this House.

Mr. M'COAN: I beg, Sir, to second the Motion of my hon. Friend. When I, yesterday, read the article in question my first impulse was to take the course which has since been taken by my hon. Friend. To my mind the gravity of the offence is greater than seems to be the impression on the mind of my hon. Friend. I do not share his estimate of the character of *The World*, or of the amount of mischief it does in a case like this. *The World* is a paper conducted with great ability, and it circulates largely among the middle and upper classes of society. Besides, the scraps of gossip news which it collects are systematically reproduced in the Provincial newspapers. All this combines to give a peculiar gravity to the offence. In the present state of public feeling, both inside and outside the House, the Irish Members have, in all conscience, sufficient odium to contend against without having articles like this written about them. I am one of the most obscure Members of this House, I am hardly known in this House, and known still less out of it; but I feel as jealous of my own reputation, as an honourable and upright man, as the highest and most important Member. In regard to the finances of the Land League, I know, and care to know, nothing of them. I know nothing about the relation of my hon. Friends with the

Land League, I am sure they are quite able to defend themselves; but I complain of the wrong done to myself as one of the 36 Members mentioned in that article; and with all the vehemence, and earnestness, and indignation I can command I second the Motion of my hon. Friend the Member for Queen's County.

Motion made, and Question proposed,

"That the article in the 'World' newspaper of the 9th day of February, entitled 'Squaring the Irish Members,' is a breach of the Privileges of this House."—(*Mr. Arthur O'Connor.*)

MR. GLADSTONE: I think, Sir, that Members of this House generally, and, indeed, without exception, will sympathize with the honourable sensitiveness of feeling which has led the hon. Member for Queen's County and the hon. Member who has seconded the Motion to take indignant notice of the article which has been quoted, and parts of which have been read by the Clerk at the Table. The conduct of Members of this House is presumed and believed by all of us to be dictated on every occasion by honourable motives; and all Members of this House, whether they be younger or older, or from whatever part of the country—whatever Party divisions there may be—stand upon a footing of precise equality in this respect. Hon. Members have a fair claim to that avowal; and if it be the object they have in view to obtain from the House, at any rate from the mouths of individual speakers, a repetition of the words which the hon. Member for Queen's County quoted on the occasion that happened in 1844, I am quite sure they will have now difficulty in obtaining that satisfaction. Those words were—

"That the charges which have been made do not affect in the slightest degree the honour and character of the Members at whom they are aimed."

Not only do I utter those words myself—if I did it on my own part it would be a matter of small consequence—but I am quite certain in giving utterance to these words I give utterance to the general sentiments of the House, and that neither the two hon. Members who have spoken, nor any of those who sit near them and who believe themselves to be aimed at by this article, will stand one whit the worse, will suffer anything in character and reputation in the eyes of the House or the public in consequence of this publication. The hon. Members have not stated in precise terms what it is that they conceive constitutes the gravamen of the charge. I do not suppose that they treat, as involving the essence of the charge, the allegation that they have received emoluments from any given source for their Parliamentary services. I do not enter into the question whether such emoluments were received by any hon. Gentlemen in that part of the House—[Mr. ARTHUR O'CONNOR: And improper behaviour in consequence.] Quite so. I was going to say that I hoped it would not be understood that the charge upon Members of this House of receiving emoluments for Parliamentary services apart from any other duties involves anything that is dishonourable. Gentlemen enjoying the respect of Parliament and belonging to both of the great Parties in this House have received such emoluments. It is the opinion of many Gentlemen—and it is founded upon principle and the example of other countries, supported by argument—that it would be well if all Members did receive, or were entitled to receive, such emoluments. Most certainly it would not rest with myself or other Gentlemen who sit upon this Bench, and who are liberally paid by the State for such services as they render, to consent, for one moment, to consider as a charge against any Member of this House that he has received emoluments for public services, although I am aware that the salaries paid to officers of State are not paid directly in respect of the services they render in Parliament. I am quite sure, if I make a personal appeal to the hon. Member, I may refer to the times of Mr. O'Connell, who never was ashamed to confess in this House and out of it—and I think his ingenuousness in this House was admirable—that he was the paid servant of the people of Ireland. With regard to the Motion which has been made, I earnestly hope, if we can render all just satisfaction to the honourable sentiments of the Members who have spoken, that they will not invite us to enter upon the disputable and uncertain ground that is open by the Motion itself. Motions of this class always involve us in considerable difficulties, and I may be permitted to say that the Motion now made and supported by the two hon. Members would involve us in greater difficulties than Motions that heretofore have been submitted. I will explain what I mean by reference to the precedents which have been quoted. The precedent of 1699 was an offence directed against a particular individual, but still declaring, undoubtedly, that certain comments made upon proceedings in this House constituted a Breach of Privilege. But when hon. Members carry us back to 1699 they must bear in mind, or allow us to bear in mind, that all comments whatever, of the most legitimate character—those comments which we now look upon as an essential condition to the working of our institutions in the daily Press—were then, and for a long time afterwards, treated as Breaches of Privilege, and as really punishable matter. Therefore, we should not go back to precedents of that date. But if we look to the precedents of 1844 and 1858, I am quite sure the candour of the hon. Member will induce him to allow that those matters were of quite a different character from the proceeding to which he now invites our attention. In 1844 the whole of the parties concerned were Members of the House; and it was an adjudication of the House on a charge of a gross nature made by a Member of the House against other Members of the House, and the concern of the newspaper Press in that charge was wholly secondary and incidental. The House was pronouncing upon matters of character of the highest importance between Members of the House, and the House could not possibly avoid giving judgment in the case. There is no such case now before us. In 1858, so far as I recollect, there was some doubt in the minds of many Members whether the matter need have been taken up; but the hon. Gentleman will observe this vital difference—first of all, that the charge was a charge against an individual; it was not against a body of Members. The hon. Member has gallantly taken upon himself the brunt of this charge; but that which belongs to him is but a small fraction of the broad allegation which involves some 40 or 50 Members of this House. Again, Sir, in 1858, the charge made against Mr. Clive was a charge of direct corruption in the exercise of an Office of trust committed to him by this House—namely, the Chairmanship of Committee. It is, therefore, certain that, whether the article be technically a Breach of Privilege or not, to discuss it would lead us very much further upon ground which it is not desirable for us to tread than we have ever yet been induced to go. Still, I would not too rigidly urge this consideration if I did not believe that what is desired is rather the sympathy of the House in rebutting these highly injurious and offensive imputations. I again say that I am quite convinced that the hon. Member and all those who sit near him do possess that sympathy entire and unbroken; and, under these circumstances, I feel warranted in appealing to them on every ground, both of prudence and good feeling, and respectfully submitting that this matter may not be further proceeded with.

SIR STAFFORD NORTHCOTE: Sir, I will not detain the House more than a minute; but I wish to say that I feel sure that the sentiments expressed by the Prime Minister are such as the great body of the House will accept. I think the general feeling will be that it would be unwise and unnecessary, on the present occasion, to bring us into one of those disagreeable and highly inconvenient Privilege discussions; and I hope, after what has fallen from the Prime Minister, and the general expression of sympathy which I think would be given by the whole House with regard to the language which has been used of hon. Members, that they will not consider their personal honour is in danger from the imputations which have been made, or that there is any occasion for pressing the matter further.

MR. JUSTIN M'CARTHY hoped that the House would come to an arrangement that would give satisfaction to the hon. Members who had been insulted. He disliked the raising of this question of Breach of Privilege, especially when it concerned the newspaper Press. He was willing to give liberty, and even something approaching to licence, in the criticisms of the newspaper Press. He was conscious himself of having sometimes written thoughtlessly, inaccurately, in newspapers—[Mr. NEWDEGATE: Hear, hear!]—and he was induced to make the utmost allowance for criticism that might even be unjust. But this was not merely a question of criticism or insinuation; it was a very distinct charge, put in the rudest and most offensive terms, against Members of the House. The charge was not merely that Members had accepted remuneration from some organized body of persons. That, of course, would not necessarily, in itself, be a discredit to those who gave or who received. On the contrary, it might be a very high honour, alike to the organization who paid the Members and to Members who received it. He could quite imagine the Land League sending a tenant farmer to Parliament to express the sentiments of tenant farmers generally; and nothing would be more proper than that they should enable him to live in London without suffering personal loss. But this was a different transaction. It was suggested that it was something secret, underhand, and disgraceful. It was suggested that Members were paid secretly by the Land League to disturb the proceedings of the House, and were, or would be again, compelled to obey the dictate of their employers and be disorderly. Nothing was more natural and more proper than that hon. Members should feel that to be an intolerable accusation, and should seek the most direct means to give the most flat denial to it. At the same time, he thought if a formal Resolution could be adopted in some such words as had been used by the Prime Minister, it would satisfy his hon. Friend and the Members of the Party with which he was associated. He only spoke fairly in their names when he said that they denied altogether the existence of any fact whatever on which to base the monstrous accusation, and the still more outrageous inference drawn from it by the author of the article in *The World.*

Dr. COMMINS considered that Irish Members had been subjected to a very gross slander. He could not agree that it was less because it was not against an individual. If he had been individually attacked, he could have challenged the writer to the proof; but the cowardly writer sheltered himself behind the contemptible and miserable plea—"It is not you I meant, but some other Member of your Party." The allegation was not that they openly received payment for services openly rendered; but that they secretly received payment for service supposed to be rendered gratuitously. Such libels reflected not only on the Members directly affected, but upon the House itself. He had seen a statement in a newspaper, that, on a certain night, three Members were armed with revolvers. People in the country, unacquainted with the House, might be led to think it was becoming a sort of Alabama Convention. It was time the House took steps to prevent the occurrence of such offences by the Press.

Mr. Justin M'Carthy

Mr. NEWDEGATE said, that he perfectly remembered O'Connell in that House speak of his receiving payment for the services which he rendered in that House to his country. Why should the hon. Members who had been attacked shrink from following O'Connell's example? Suppose the charge should hereafter become true. If hon. Gentlemen had been charged with having been suborned by persons for personal and selfish ends, they would have commanded his entire sympathy. He could not but be reminded of the French proverb, *Qui s'excuse s'accuse.* He looked upon the Motion with something of suspicion, because he had himself been the object of the most severe comments by portions of the Press conducted in the interests of those hon. Members. He had never shrunk from such criticisms, and he would never be a party to crush attempts to restrain the Press, as was desired by those hon. Members.

Mr. GRAY said, if there had been anything to induce hon. Members who had been the subject of attack not to adopt the suggestion of the Prime Minister it would have been the speech just made by the hon. Member for North Warwickshire (Mr. Newdegate). The hon. Member was in error in assuming that the epidermis of every hon. Member ought to be as pachydermatous as his. He confessed he was not accustomed to square his conduct by the opinion of the hon. Gentleman, and he did not intend to do so upon the present occasion. He would make the suggestion to the hon. Member for the Queen's County (Mr. Arthur O'Connor) that he ought to adopt the suggestion of the Prime Minister, and be content with an expression of an opinion, which was only emphasized by the single dissent of the hon. Member for North Warwickshire. He, at the same time, thought the Prime Minister was in error when he stated that this was not an individual accusation. In terms it was an accusation against 36 individuals that each was subsidised by a weekly salary, paid by the Land League, for the purpose of disturbing the proceedings of the House. That was an accusation under which they could not possibly consent to remain. Hon. Gentlemen who knew him, and any of his Colleagues, would not believe the accusation; but it must be remembered that it was made and circulated in England, and copied very widely, and was read by persons who knew nothing of them beyond their names, and it was really necessary they should take steps to vindicate themselves from this definite and precise charge. Insinuations had been made in a general way within the House; but they could afford to treat them with contempt. Here, however, was a specific charge, and it was impossible for them to pass it over. He agreed with what the Prime Minister had said—that there was nothing dishonourable in hon. Members being paid for public services rendered within the House. There were hon. Members, he believed, in that position, and they were certainly as much respected as any other hon. Members in the House. The difference between the case of those Gentlemen and that of the hon. Member for the Queen's County (Mr. Arthur O'Connor) was this—that whereas theirs was open and aboveboard, with nothing secret or underhand about it, the allegation in the present instance was that the Irish Members at that side of the House were doing work there for no public purpose, but because they were paid a special salary and were subsidised to do a certain thing. He (Mr. Gray) was confident that there was no Member in that House, with the exception, perhaps, of the hon. Member for North Warwickshire, who believed there was the slightest ground for that allegation. He was not a member of the Land League himself, nor had he ever received any subsidy from that body. Neither did he believe that any of the 36 Irish Members who sat on that side of the House ever received a subsidy from the Land League; but certainly he thought that if the journal referred to did not think fit to withdraw the accusation, which possibly by inadvertence it had made, there were other remedies open to those against whom it was levelled; and, as Irish Members had received such an assurance as they had from the House, he trusted that the matter would be permitted to rest. As a journalist himself, he believed in the old maxim, "Dog not eating dog." He did not like to see members of the Press too severely handled for acts which were possibly completely beyond the control of those who would ultimately be held responsible. Many times articles were written that possibly never had attracted the attention of the proprietors; but still those matters should be treated with some consideration; and he thought, in the present case, they might be well content with the expression of opinion they had already had upon the subject.

MR. ARTHUR O'CONNOR said, he regarded the position of Members who received support from the self-imposed taxation of their constituents as a position of singular dignity and honour, and he had not a word to say against assistance so rendered. But in the charge brought against them, the distinct allegation, not to be shirked or blinked, was that they were there for an improper purpose, and were receiving from certain employers monies which would be withheld if they ceased to misconduct themselves. He could not rest for a single day under that stigma. However, he was prepared to accept the expression which had been so generously made in the House. He sincerely, and from his heart, thanked the Prime Minister for the kindly way in which he had alluded to him; and he thanked also the right hon. Gentleman the Leader of the Opposition for the way in which he had spoken. After that expression of opinion, he was content, with the leave of the House, to withdraw the Motion he had made.

MR. O'DONNELL, while concurring in the suggestion that the matter should proceed no further, could not share in some of the reasons given for that course. He considered that a distinct Breach of Privilege had been committed, and that an apology ought to be exacted. He was as desirous as anyone to defend the privileges of the Press; but privilege and licence were very distinct things. At the same time, he could fully understand the position in which the head of the Government had placed himself, in throwing cold water upon the proposal made upon behalf of the Irish Members. ["Oh!"] In a question of that kind it would be very inconvenient for the right hon. Gentleman to reprimand any newspaper on the score of imperfect Irish information. He considered that the charge made against the Irish Members by that newspaper were neither more or less important, nor more or less true, than the general charges made against Ireland by Her Majesty's Government. He could fully understand accordingly that, although some cynically disposed persons might like to see the Premier rebuking Mr. Yates for the character of his Irish information, that, notwithstanding, Her Majesty's Government might very reasonably object to affording that House an amusing variation of the ancient controversy between the kettle and the pot.

MR. T. D. SULLIVAN said, as a Member of the Land League and of the House of Commons, he wished to say a very few words. He considered that the charge which had been made was a very offensive one under existing circumstances; and he assured hon. Members inside the House, and the public out-of-doors, that he believed the very last purpose to which the Land League would desire to devote any of its funds would be the sustenance of Irish Representatives in the House, because it was of opinion that money could not be more utterly and completely wasted than in sending Members to the House of Commons, in the hope that they would be able to influence its action.

Motion, by leave, *withdrawn.*

ORDER OF THE DAY.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL—[BILL 79.]

(*Mr. W. E. Forster, Mr. Gladstone, Sir William Harcourt.*)

COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Power of Lord Lieutenant to arrest and detain).

MR. PUGH said, he had to propose an Amendment in this clause, in page 1 line 5—after the word "who" to insert "upon the evidence by affidavit of not less than two witnesses." The clause, as it now stood, would enact that—

> "Any person who is declared by warrant of the Lord Lieutenant to be reasonably suspected of having" done so and so "may be arrested in any part of Ireland, &c."

The alteration which he proposed to make in the clause was to the effect that the Lord Lieutenant should have no power to declare a man to be suspected unless he had the evidence on affidavit of not less than two witnesses. He believed he should be able to satisfy the Committee and Her Majesty's Government that the Amendment was a most reasonable one. In fact, it was the smallest measure of protection which they could give; and unless they were prepared to give it there would be no security whatever against the arrest of the most innocent persons. Before defining further the effect of the words he proposed to insert he wished to point out that they involved two propositions; the first was, that sworn evidence upon affidavit should be required, and the second was that the evidence of two witnesses should be necessary. Although he regarded both of these propositions as of great importance, he confessed that he attached the greatest weight to the first of the two. The first thing he would ask the Committee to consider was this—According to the scope of the Bill as it stood at present, it was not proposed or intended to give the Lord Lieutenant the power of arresting any person whom he might think in his discretion ought to be arrested. It was not proposed to confer upon the Lord Lieutenant so wide a power; but they intended to introduce such principles as were considered proper for the protection of the people, and it was competent for the Committee to insert such limitations as they might deem necessary. One limitation already provided by the Bill was that the person to be arrested should be reasonably suspected; and he would ask if it was not also a proper limitation that there should be some evidence on oath or affirmation that there were reasonable grounds for suspicion? How otherwise was the Lord Lieutenant to arrive at a conclusion that there was a case of reasonable suspicion? It could only be by the sending of a letter or report to Dublin Castle; and if such letter or report were not given on oath, what ground of reasonable suspicion could be deduced from it? He hoped he should be able to satisfy the Committee that the introduction of the words which he proposed would not impair the efficiency of the Bill; but, on the contrary, it would increase its efficiency, and give, as far as possible, some real protection to the persons upon whom the Bill would operate. It was not only within the competency of the House to make an alteration of this sort, and throw protection around the people; but it was absolutely the duty of the House to fence in the powers conferred by the Bill in every way in which it was possible, so long as they did not impair the efficiency of the measure. It was only right that he should say, on his own part, that under no circumstances would he propose any Amendment whatever that would be likely to impair the working of the measure. He had no desire to do so; but in asking the Committee to support the Amendment he did so because he believed that its adoption would improve the Bill. If the evidence which induced the Lord Lieutenant to declare a man to be reasonably suspected was not to be upon oath or affidavit, on what was it to be? He should have preferred to place the Amendment before the Committee, contenting himself with hearing what might be said against it, and the objections which might be raised by those who were of opinion that the Bill was better as it was at present framed. But under the new Rules he would have no right of reply; and, therefore, it was necessary that in moving the Amendment he should consider what objections might be urged to it, and reply to them at once. In considering what the possible objections might be, the only one of importance that he could see was that it might be desirable to give the Lord Lieutenant power to arrest persons who were suspected without requiring any sworn or affirmed information to be before him. He ventured to think, on the contrary, that that would be most undesirable. It was only fair and right that where a man was to be arrested under the Act, the person who laid the information against him should do it at the risk of a prosecution for perjury. He failed to see how such a provision would in any way impair the operation of the Act. No delay was involved in the matter, because it would take no further time to send up information sworn or affirmed than it would be to write them and send them up to Dublin without being sworn. No doubt, it might be said that it would be difficult to get persons to swear to such informations. He was quite aware of that, and they could not always expect to have direct evidence in these cases. It would often happen that persons who were willing to make statements to the police would decline to put anything down in writing. But that would not be the case in regard to the constables; and certainly in their case it was most desirable that, in furnishing information of this kind, they should, at least, be required to swear that they believed the truth of the reports that reached them. He did not see how the satisfactory working of the measure would be imperilled by requiring that every report sent up through the police to Dublin Castle upon which the Lord Lieutenant might act should be sworn to be true to the best of their knowledge, information and belief of the person making it. What would then be the position of affairs? It would be admitted that the Lord Lieutenant could have no personal knowledge of the cases submitted to him. Then how was he to act? The information must be conveyed to him by somebody. He presumed the course adopted would be for the chief police officer of the county to send up a representation to the Lord Lieutenant stating that he had been informed by some members of his force that such and such a person came within the terms of the Act. It might be that the magistrates would send up similar representations. What would the Lord Lieutenant do? Under the Bill, as it stood at present, his course would be either to take the responsibility upon himself of delaying the arrest until he could make inquiries, or to act at once upon the representation made to him. In the case he was putting now, where the constable was the informer, how could it be said that there was any hardship to require him to swear that he verily believed the reports he had heard to be true. With the permission of the Committee, he would put before them one or two cases in which he thought this provision would be most valuable. He was not acquainted with the parts of Ireland which would come under the operation of the Act; but he did not imagine that they would differ materially from parts of England. If his supposition was correct, then there would exist in them a good deal of enmity and ill-feeling between individuals; and neither in Ireland nor in any part of the United Kingdom would any person have a chance if he were to be denounced behind his back upon unsworn information. Whatever the cause of the enmity or ill-feeling might be, this would be done in but too many instances; and if any man was bent upon taking such a step against a neighbour, surely it would not be contended for a moment that he ought not to be held liable to the consequences of perjury, provided the representation he made was proved to be false. As regarded the police, he would not say a word against the Irish police, or against the police of this country. So far as his own observation and judgment went, they gave their evidence, as a rule, in a very excellent manner, and they were perfectly reliable. But there was this qualification—it must never be forgotten that they were men whose business it was to deal with criminals of every kind; and not only to detect crime, but to secure the conviction of the criminal. It was the same not only with regard to a policeman, but in every other trade or profession. The man who followed a particular business had every desire to carry it out to its most complete end, and the business of a policeman was to bring home every crime or charge of a crime to somebody. He was, therefore, only too prone to arrive at the conclusion that when a charge was made against an individual that individual must be guilty. Whenever an outrage happened there were always plenty of people ready to say who had done it; and, so far as the magistrate was concerned, it was only in human nature that he should be anxious to see the criminal detected. He, therefore, sometimes gave too ready credence to the stories which were laid before him. Thus, again, he (Mr. Pugh) asked the Committee to consider what the effect was upon the persons who made the charge. If they were required to put their information into writing and swear to it they would be induced to pause before they wilfully sent up a false representation. Take the case of a man who did not intend to do anything wilfully wrong. He thought the charge he made was probable; he believed that a particular man had been concerned in a certain outrage; and he gave information accordingly representing that the man he specified was the man. But if they told such a man to write down the charge and mention the various facts on which he relied for entertaining his suspicion, what would he do then? He (Mr. Pugh) ventured to say that in many cases a man, under such circumstances, instead of writing down an information, when he came to consider the case and the effect of his words, and what grounds he had for making the accusation, together with all he had seen himself and heard from other people, would come to the conclusion that he had no sufficient grounds for bringing a charge. It therefore amounted to this—that as regarded the magistrate, and as regarded the police constable, they would lend only too willing credence to such things as they wished to believe. Such a belief would accord with the Apostle's description of faith as "the substance of the evidence of things not seen;" but it would not be right or safe to imprison people upon such a belief without trial or appeal. Without desiring to delay the Committee he hoped he might be allowed to quote words of the greatest importance in such a matter as this which proceeded many years ago from the Duke of Wellington. It was the only authority he intended to cite in support of his position. The Duke of Wellington, speaking in reference to a proposal to bring troops into Ireland at a time when it was considered that the committal of certain outrages justified recourse being had to exceptional measures, said—

> "On these occasions letter after letter is written to the Government. The same fact is reported through many different channels. The result of inquiry is that the outrages complained of are found to be by no means of the nature or extent complained of."

In order to apply these words to the case the Committee were now dealing with, he would say that the result of inquiry into the complaint made in reference to the conduct of a particular individual was to show that there was no reasonable ground for suspicion. The Duke of Wellington went on to say—

> "The obvious remedy for this evil, and that which is most generally resorted to is to call for information on oath as to the transactions complained of; but this remedy is not certain, because it frequently happens that the information on oath is equally false with the original statement."

With regard to the latter part of the quotation, all that he (Mr. Pugh) could say was that the warrant should be on the best evidence they could get; and in reference to the other part of the quotation he wished to press this upon the Committee and upon the Government—that "the obvious remedy for the evil, and that which should be generally resorted to," as he hoped it was now resorted to, and would be generally resorted to, was "to call for information on oath in regard to the complaint." If so, he did not see what reasonable objection there could be to including such a requirement in the Bill. The Duke of Wellington stated that letter after letter was sent, and the facts were represented from different channels. The same might be said in this case—Report after Report was sent, and the facts were represented from different channels. No doubt what was true at the time the Duke of Wellington wrote was true now, and would be true after the present Bill passed. No doubt after the Bill became law letter after letter would be sent, Report after Report would be made, and representations would be made through one channel and another for the purpose of inducing the Lord Lieutenant to put the Act in force against individuals; but he appealed to the Committee whether, without sworn evidence, it was either reasonable, or fair, or safe to act upon such representations? He appealed to Her Majesty's Government to meet him on the point, and to make the concession he asked to those who felt that the Bill, as it was now framed, was capable of being unjustly brought into operation against particular individuals. It was only a moderate and very small concession that was asked for; but he was sure that it would give very great satisfaction. It would, to a certain extent, give a sense of security to a large number of people in Ireland; and he was satisfied that it would not, in any way, interfere with the working of the Act. He had based his argument upon the desirability of having sworn information, because he was convinced that when a man was required to put down deliberately in writing the nature of a charge he desired to bring, he would soon give up the task when he found that the facts failed to afford sufficient grounds for so serious an accusation. And it must not be forgotten that what a man put down in writing was liable to be contradicted, and this of itself would operate as a check, for we have it that—

> "When we risk no contradiction
> It prompts the tongue to deal in fiction."

Again, if it was false, the man who wilfully made a false accusation was liable, on conviction, to the penalty of perjury.

Amendment proposed,

In page 1, line 5, after the word "who," to insert the words "upon the evidence by affidavit of not less than two witnesses."—(*Mr. Pugh.*)

Question proposed, "That those words be there inserted."

Sir JOHN HAY said, he rose to a point of Order. They were now acting under the new Regulations. The hon. Member for Cardiganshire (Mr. Pugh) had called the attention of the Chairman to the fact that he would be unable again to speak to the Motion. That was not the way in which he (Sir John Hay) read the instructions. He took it that any hon. Member who had made a Motion, or moved an Amendment, if he desired to offer explanations, could do so. As this was the first occasion upon which they had gone into Committee after the introduction of the new Rules, he thought it would be well if Mr. Playfair would make the matter perfectly clear so as to prevent any mistake.

The CHAIRMAN said, that, as he understood the new Regulations, the Rule which allowed an explanation to be made only referred to such an explanation as might be necessary in order to prevent any misunderstanding in regard to a Motion or Amendment.

Mr. WARTON wished to put one point to the hon. and learned Member who had moved the Amendment (Mr. Pugh). He would suggest that the word "less," in the Amendment should be changed into "fewer." He objected to the word "less," which could only be used as the antithesis of greater. It would be better to say "fewer" and "more." It was not necessary, however, that he should explain why the word "fewer" would be more correct in the present instance than the word "less."

Mr. W. E. FORSTER: I am sorry that I cannot accept the Amendment of my hon. and learned Friend (Mr. Pugh). Although I am in charge of the Bill I believe I shall not be allowed to do more than make an explanation hereafter; and, therefore, although I intend only to say a few words, it is necessary, in rising thus early, that I should say all I have to say. My hon. and learned Friend gave two grounds for the Amendment. One of them was that if an information is necessary in order to enable the Lord Lieutenant to act, it should not be made by individuals in the employment of the police alone, or by the magistrates, but that it should be given on the sworn information of two witnesses. Certainly, the Government would not have brought this Bill before Parliament if they could always rely upon getting two sworn affidavits as to the facts from persons who were really concerned in the matter. Our great reason for introducing the Bill is the impossibility of obtaining such evidence. It is upon that ground that we mainly base the necessity for it; and, therefore, to demand sworn evidence would, it seems to me, entirely stultify us before the country in regard to the measure. I think it might be fairly stated that if, after bringing in a Bill to empower the Lord Lieutenant to make arrests on reasonable suspicion of treasonable practices, and basing that Bill upon the ground that it is impossible at present to get evidence on account of intimidation, we were then immediately afterwards to say, "We must have a sworn information," we should be merely wasting our time. I understand my hon. and learned Friend to go on to say that in case the information is given by the magistrates or the police it ought to be upon oath. Now, with regard to that proposition, I must really be allowed to say this—What we now propose is that for a limited time, and under special circumstances, the Irish Executive should be intrusted with exceptional powers. I imagine that we have already convinced the House of the necessity of conceding these powers. We have shown the necessity for the detention of certain prisoners in the position of untried prisoners, instead of being obliged to bring them up for judicial investigation and trial. We are well aware that that will place a serious and a heavy responsibility upon the Executive Government; but it is a responsibility which they will have to undertake, and I do not think that any security would be gained by an attempt to bring in the ordinary forms of trial, when the Executive are merely detaining a man upon reasonable suspicion. The hon. and learned Member says that sworn information should be required. But suppose that, in certain cases, they succeeded in getting two policemen or magistrates to send up a sworn information, I doubt whether much additional advantage would be thereby derived. Every case will have to be specially inquired into, and the responsibility of the decision will be imposed upon the Lord Lieutenant and his advisers; and, as men of honour, they will consider it their duty to ascertain that there are reasonable grounds of suspicion. I do not think that anything will be gained, either in the shape of security or liberty, if, when such powers are obliged to be given, we try to intermingle with it the general forms which are adopted in other instances where a case is coming on for trial. I have ventured to give my opinion thus early in the discussion, because I think it would be quite contrary to the principle and scope of a Bill of this kind to adopt the Amendment which has been proposed. I need not repeat that every exertion will be made to insure that no injustice is done. If I thought that in endeavouring to prevent injustice being done this sworn information would help us, I should not be disinclined to look with favour upon my hon. and learned Friend's Amendment; but I think, on the contrary, that it would rather tend to release us than otherwise from the trouble which we ought to take. I say, with regard to this Amendment, what I dare say I shall have to say in regard to other Amendments, that it is a most serious matter having to give this power to the Executive Government at all; but it would be of no advantage to give it and then to fetter its use. It would be of no use to give it under conditions which would interfere with its being properly employed. And while I think that this proposal would give no real security, I can well understand that it might lead to the prevention of the arrest of some persons who ought, specially, to be arrested. We might get information, quite independent of the police, from persons who would not swear to it—who were absolutely afraid to swear to it, and yet it might relate to the very persons whom of all others we ought to arrest. The provision of my hon. and learned Friend would, in such cases, prevent the Act from being brought into operation. No doubt, it is a very unpleasant duty for Parliament to place such powers in the hands of any Administrators. It is not necessary to appeal to hon. Members opposite, who have, over and over again, declared their disbelief in the necessity of the Bill, and their opposition to repressive measures under any conditions. But I do appeal to hon. Members on both sides of the

House, who consider it necessary that such a Bill as this should be passed, that, having agreed to read it a second time, they should accept the conditions upon which we propose to confer these powers upon the Government. The Executive Government will act with the highest sense of the responsibility which attaches to them; but they feel that it would be of no use giving them the power they ask for if, at the same time, you fetter their discretion in the exercise of it.

MR. T. P. O'CONNOR wished to call attention to the last observation of the right hon. Gentleman the Chief Secretary. He hoped the Committee would not misunderstand the position of himself and of the Irish Members generally. While their hostility to the Bill still remained exactly what it was before, that did not prevent them from seeking so to amend the Bill as to decrease what they considered to be its cruelty; and, therefore, he hoped that their general hostility to the measure would not be confounded with their desire to amend its provisions, but that any Amendment they suggested would be considered on its merits. On the particular point now under consideration, he thought that to continue to discuss the clauses of the Bill was nothing less than a scandal at the present moment, and he would tell the Committee why.

THE CHAIRMAN: The Question before the Committee is simply the Amendment which has been submitted by the hon. and learned Member for Cardiganshire (Mr. Pugh), and not the general consideration of the clauses of the Bill.

MR. T. P. O'CONNOR said, he was just coming to that point. His ignorance of the new Rules must account for his wandering a little astray; and the fact that the Chairman had been compelled so early to recall him to those Rules was a convincing proof why he should not be required, at the present moment, to discuss the clauses of the Government Bill. He altogether traversed the arguments which had been used by the right hon. Gentleman the Chief Secretary. He had entirely changed the ground of his opposition to the Amendment and his advocacy of the Bill. The grounds of the right hon. Gentleman's opposition to the Amendment, and of his advocacy of the Bill, were entirely antagonistic. The right hon. Gentleman said the reason for introducing the Bill was that it was impossible to get evidence. But the reason formerly assigned was not that he could not get evidence, but that he could not get witnesses to give the evidence in open Court. The right hon. Gentleman knew very well that in a large number of cases persons had gone to him and had complained of the pressure put upon them by the Land League or some other organization; but that he could not get those persons to get upon the table in the Court House and repeat in open Court what they had stated privately. Therefore, the basis of the right hon. Gentleman's Bill was altogether different from the basis of his objection to the Amendment of the hon. and learned Gentleman opposite, which said that it was necessary to have the evidence of two witnesses. He (Mr. T. P. O'Connor) would put it to the Committee whether there was not often a wide difference between the statement which was rashly made by word of mouth and the statement that had legality with it. If they required information from an informer, they should require him to descend to specification and details. There was frequently a very material difference between a statement made by word of mouth and one put in writing. He would put it in this way. Suppose any number of Members of that House came to an understanding which was to form the basis of an agreement. It was often found necessary that hon. Gentlemen should come to some agreement with each other—for instance, in regard to the closing of a debate on a certain day. If any distrust was felt, and the question was one on which there was likely to be any misapprehension, the course always adopted was to put the agreement into writing in place of trusting to the vagueness and uncertainty of a statement made by word of mouth. The right hon. Gentleman the Chief Secretary said the Bill would only be in force for a limited time; but it was, nevertheless, to give the right of imprisoning men for 18 months, which would amount in many cases, not only to loss of liberty, but to loss of life. Eighteen months of imprisonment under certain conditions, to persons reared under certain circumstances, was as much a sentence of death as if they sentenced a man to the gallows. Therefore, he thought the limitation of time was not a sufficient reason why hon. Members should not scrutinize every line that went into the Bill. The right hon. Gentleman said the responsibility of the Government was so serious that they had a right to repose the greatest confidence in them. Now, he confessed that his confidence in the right hon. Gentleman and Her Majesty's Government was not so strong that he was willing to leave to them the power of arranging and settling what the nature of the information should be. For anything they knew, it might be very little different from the *lettres de cachet* by which at one time a Frenchman could be confined in that Bastile, the destruction of which had been spoken of upon the Liberal Benches as the dawn of a new era of liberty. There was one point upon which he was anxious to make a suggestion to the hon. Member who moved the Amendment—namely, that he should add to his proposal a proviso that the two witnesses should not be landlords. He made this suggestion in order to test whether or not it was intended that the Bill should place the unfortunate Irish tenantry at the mercy of the Irish landlords; and he hoped his hon. and learned Friend would insist upon adding some such proviso.

Mr. RYLANDS entirely sympathized with the object his hon. and learned Friend (Mr. Pugh) had in view; and if it were possible, by any ingenuity, to put words into the clause which would prevent his right hon. Friend the Chief Secretary from committing any grave mistake in the exercise of the difficult duties imposed on him by the Bill, he should be much relieved. But he did not believe there was, in the means they had in their power, any possibility of surrounding the exercise of the very important official duties which the right hon. Gentleman would have to perform in such a way as to prevent the liability to commit a mistake. Of course, that was one great reason why all of them disliked so much to see a Bill of this kind. His hon. and learned Friend the Member for Cardiganshire proposed that certain words should be put into the clause. He (Mr. Rylands) was not quite sure, however, whether, if those words were inserted in the Bill, they might not have exactly the opposite effect to that which his hon. and learned Friend anticipated. What was the meaning of the words proposed to be inserted? The meaning of those words was that the Lord Lieutenant should only act upon the evidence or affidavit of not less than two witnesses, who might be two policemen, or two magistrates. No doubt, affidavits of that kind could be procured plentifully. There would be no difficulty in getting affidavits of the character his hon. and learned Friend seemed to think ought to be required. But what would then happen? Why, Dublin Castle would say—"We have an affidavit from two witnesses, and, therefore, we are satisfied." He, for one, as a Member of that House, would certainly not feel that such an affidavit would absolve the Executive Government at Dublin Castle from the personal responsibility which the Bill would devolve upon them. He knew that it was a serious responsibility which the House was consenting to confer upon them; but the Government had asked for it, and they would have to fulfil that responsibility in the eyes of the House and of the country. He wanted to be able to feel assured that the Lord Lieutenant and the Chief Secretary would in every instance, whatever might be the surroundings of the case, have the evidence fully laid before them, and give to it the most minute and careful investigation. [Mr. A. M. SULLIVAN: It would be one-sided.] Under these circumstances, he was not prepared to support the Amendment, although he entirely sympathized with the object of his hon. and learned Friend who moved it.

Mr. A. M. SULLIVAN was afraid that the hon. and learned Member who had moved the Amendment, and hon. Gentlemen opposite who supported it, would find they had deluded themselves with a vain hope if they imagined that if they once allowed the Bill to get into Committee they would be able to satisfy their honourable and honest scruples and appease their consciences by any Amendment in the direction of diminishing the harsh and arbitrary powers of the Bill. The Committee would reject the Amendment of the hon. and learned Gentleman, and it would reject any Amendment which any honest and honourable man in that House might propose with such an object. He confessed that he was unable to understand the pretext upon which the Government declined to accept this most moderate and reasonable Amendment. It would not lighten the responsibility of the Government at Dublin Castle to provide that the information on which they should act should be sworn information in the first instance. The right hon. Gentleman the Chief Secretary told the House that every man who was arrested under the Bill would be subjected to a most painful, a most painstaking, honest, and conscientious trial by him in Dublin Castle. But it would be a trial of one side of the story. It reminded him of the story of the Kerry magistrate, who once said that he decided all the cases that came before him immediately he heard one side, and it was only when he heard both sides that it bothered him. The Chief Secretary for Ireland was not to have those statements. It would bother him to hear the two sides of the story—nay, it would embarrass him to hear one upon oath. Then, upon what would he act—upon the affidavit of two witnesses, or upon the whispers of an irresponsible creature earning the wages of guilt by perjury or falsehood? Hon. Members might think this had never happened. But it had already happened in Ireland; and Her Majesty's Government knew it. The right hon. Gentleman the Chief Secretary for Ireland had said it was of no use to give the Government this power and to fetter them in their application of it. What was the fetter? That they should not send a man to gaol for 18 months unless upon the affidavit of two witnesses. He could understand the Government saying they knew the village tyrants who committed outrages, but that they could not get evidence. He acknowledged it was upon a story of that kind that the right hon. Gentleman would act, and upon such a story had the Coercion Bill been brought to its present stage, while there was almost an insinuation that the Ministerial eye was upon some hon. Members of the House. Well, if the Government did know these village tyrants alluded to, an English Member asked them that the minimum of legal procedure upon which he (Mr. A. M. Sullivan) might say the liberty of a child could not be taken away in England should be the maximum of protection given to an Irishman. The Government were driven by the Amendment of the hon. and learned Member for Cardiganshire to confess that they would be afraid to put the Bill in operation if they were to be called upon to act upon the affidavits of only two witnesses. The Chief Secretary for Ireland had spoken in answer to that Amendment, as if any investigation that he could make in Dublin Castle of one side of the story only could protect the liberty of anyone in Ireland. What did the right hon. Gentleman propose to do? "Do not relieve me," said he, with an air of noble heroism, "of responsibility." What responsibility? To whom was the right hon. Gentleman responsible? He (Mr. A. M. Sullivan) asked the Committee to imagine a magistrate on the bench sentencing a man to even a week's imprisonment, and saying he would hear no witnesses; that he would act on his own responsibility, and not upon evidence, in sending the prisoner to gaol. So said the right hon. Gentleman; but urged the hon. Members opposite that it would be very injurious. He had never known the ingenuousness of the hon. Member's nature until he thought he could put upon the Chief Secretary for Ireland such a terrible responsibility. That was nothing to him. The right hon. Gentleman was going to keep the information locked up in his breast. He might be pressed for explanation; but he would shake his head, and say—"You don't know on what suspicion we have incarcerated this wretch"—the wretched victim who would not be allowed to stand face to face with his accusers. And that, forsooth, would be the responsibility of the Chief Secretary for Ireland. The responsibility of Mr. Chichester Fortescue, who was as honourable and conscientious a man as the right hon. Gentleman, failed to shield wretched men from tortures the narrative of which would make Englishmen blush with shame. The Committee should remember the adage—"Over shoes, over boots." They were in for it, so to speak, and must pass the bitter and cruel measure in the shape put forward by the Government. There were in the House liberty-loving men, who, once committed to this fatal error, would find, like the hon. Gentleman who had moved the Amendment before the Committee, that there was no cruelty or tyranny too great for the Treasury Bench. The hon. Member asked them to preserve this miserable remnant, not of liberty, but of the decencies of judicial procedure. It was known that, under the last Coercion Bill, a man's house was broken into in order to search for papers, the warrant of search having been issued by a Liberal Government, and five years hence they would be again looking upon scandals of the same kind as occurred under the last coercive legislation. The hon. Member was, therefore, vainly appealing to Her Majesty's Government, whose only reply was—"Leave us to our responsibility"—the responsibility not of gentlemen, or statesmen in Dublin Castle, not even of the village policeman; but upon the whisper of the spy and the information or grudge of a despotic landlord, which, under the Bill, would be sufficient, without evidence, to incarcerate Irishmen.

Mr. A. MOORE fully approved the objection of his hon. Friends opposite in their advocacy of the Amendment. At the same time, he thought that nothing in the world would be so likely to place men in the power of spies and of the village policeman as the system of affidavits. He had seen many of these documents produced. A man came forward and said certain things were true; the magistrate said—"Then you are prepared to swear that you believe them to be true," and the process was complete. Now, the simple result of the Amendment would be that any two affidavits would relieve Ministers of all responsibility. There had been numerous cases of informers living upon blood-money; for instance, that of Delahunty, who was watched by witnesses and found in the act of selling his tale to the authorities. For these reasons, he thought that the only protection the Irish people could get in this matter was that which resulted from enforcing responsibility on the Minister of the Crown. That responsibility, under the Bill, was secured by the fact that the names of persons arrested should be laid on the Table of the House within the first seven days of every month while Parliament was sitting. Parliament would, therefore, have the opportunity of calling Ministers to account, and give their reasons for making arrests, when he was sure the House would require more substantial evidence than that of two policemen.

Mr. LEAMY failed to see what objection there could be to proceeding upon affidavit. The right hon. Gentleman the Chief Secretary for Ireland had said that one of the chief grounds upon which the Bill rested was the difficulty of obtaining evidence. He admitted that there was evidence in existence, but that the injured persons would not come forward owing to fear and intimidation. There must be some grounds upon which suspicion would rest; and, supposing an outrage to be committed, the first thing the policeman did would be to go to the person whose property was injured, and ask whether he suspected anyone of the act. If then any reason existed for suspecting anyone of injuring the property, what harm could there be in asking that the suspicion should be stated on oath? Someone must send up the case to the Chief Secretary for Ireland, who would be bound to question somebody as to the reasons for suspecting a man, otherwise how could he know whether there was any truth in the story or not? The right hon. Gentleman would certainly have to take upon himself the responsibility of ascertaining the character of the persons giving evidence. The effect of requiring an affidavit would be to deter men from stating that which was not true, because they would see that their words were written down, and that the penalty of perjury would be sure to follow if they did. For that reason, he should support the Amendment before the Committee.

Mr. DALY pointed out that it was not contended by the hon. Member opposite that the affidavit should be made public. It was only asked that the information should be of that nature which would entail responsibility on the person making the statement. A case bearing upon this had occurred in his own county. A letter had appeared in *The Daily Express* stating that a valuable hunter, belonging to a gentleman, had been injured; that its off fore leg was bruised so much that the animal had to be destroyed, and that the injury was wilfully done. That letter was signed by the rector, who called for the protection of the police. But he (Mr. Daly), five days later, had seen in the same paper another letter signed by the gentleman who owned the animal in question, which stated that the injury was the result of accident, that as two of his servants were exercising his horses some boys suddenly cried out, and one of the horses becoming restive cannoned against the other and broke its leg. Here was a gentleman making a statement in the columns of a public journal, and who undoubtedly believed every tittle he had subscribed to was true. Now, he urged in support of the Amendment that if this gentleman had been required to make an affidavit he would have inquired into the facts and details, and would not have made the statement which he had irresponsibly published in a newspaper. That was one reason, therefore, why the Amendment should be accepted. Again, he was very much in accord with the opinion of the hon. and learned Member for Meath, and thought that the Government had been seized with a desire to reject any Amendment that would give to men in Ireland liberty or fair play. It was an offence against common sense and every doctrine of fair play that they should refuse to act on sworn evidence.

MR. J. COWEN sympathized with the object of the Amendment, although he believed the Motion would not be of any good effect. Hon. Members who had voted for the second reading of the Bill with some qualms of conscience had, no doubt, hoped they would be able to amend it in Committee. But they had never been under a greater delusion. The Bill would be carried as it stood. The Chief Secretary for Ireland under its operation would be as absolutely despotic in the power which he would possess as was Loris Melikoff at St. Petersburg or Louis Napoleon at Paris. To illustrate the justice of his statement he would mention the case of his hon. Friend the Member for the County of Limerick (Mr. O'Sullivan), who, when the Habeas Corpus Act was before suspended, had been most unjustly arrested, put in irons, and carried to Dublin; while on the journey the removal of the handcuffs was refused even for the purposes of nature. His hon. Friend was imprisoned for 15 months, and yet when his case was brought before the House of Commons, Lord Carlingford, at that time Chief Secretary for Ireland, and who was one of the most humane of men, made some excuses, but no redress was obtained. Such would be the appeal hon. Members would have under the present Bill. He should vote for the Amendment, with the confident belief that nothing would result from it.

MR. ERRINGTON thought the Chief Secretary for Ireland had taken an extreme view of the effect of the Amendment. One of the most important preservatives of justice were the forms of law; and he considered it was a great matter that these should be preserved without damaging the Bill. The question was whether the insisting on some sworn evidence would render the measure inoperative. That could not be the case, for the information would not be a sworn statement as to the actual facts, but only as to the *bonâ fide* belief of the person making the statement. That certainly would not be drawing the teeth of the measure; and the right hon. Gentleman, by accepting the Amendment, would show his desire to maintain such forms of legality as could be retained without interfering with its efficiency. He thought the affidavit should not be made a public document.

MR. O'SHAUGHNESSY said, he should vote for the Amendment with the intention of amending it thereafter if it passed, because he believed that as it now stood it would cause serious harm. If the affidavits were simply filed, handed to the Chief Secretary for Ireland, and then kept private, it would lead to great additional abuse of the Bill, which in its nature was liable to abuse. He approved of the responsibility thrown upon the right hon. Gentleman of acting on the information of two credible witnesses; although it was to be feared that two untrustworthy individuals might put their heads together, and through spite against a man put this law in motion. The Bill, he felt, was bad and tyrannical; and he wished to place the responsibility of putting it in action upon the right shoulders. For this reason he would rather it should rest on the Chief Secretary for Ireland than upon the Irish magistrates, who were partizans. He should vote for the Amendment only with the intention of afterwards adding a further Amendment, to the effect that the affidavits should be filed and placed within reach of the public, in order to prevent the Bill being used for the purpose of shutting up persons disagreeable to their neighbours.

MAJOR NOLAN agreed that the proposed Amendment would afford some protection, especially in country places, where it would be much required. In such districts people were already very anxious with regard to the effect of the Bill; and only yesterday he had received an inquiry from a substantial farmer, who had done no more than attend some meetings, as to whether he would be obliged to leave the country when the Bill came into operation. The class in Ireland to which that farmer belonged had been thrown into a state of terror. The right hon. Gentleman the Chief Secretary had said he intended to strike terror into the minds of men who committed outrages; but he was really striking terror into a class of men who, in his opinion, were as good as many country gentlemen. These persons would feel they were in some degree protected, if they knew that some amount of sworn information was required before they could be imprisoned. A man who, perhaps, had not paid his rent, or who had a dispute about it, although he might be entirely in the wrong, ought not to be at the mercy of a private letter or interview with the magistrates. No doubt, many magistrates in Ireland had suffered from the agitation, and could hardly be expected to act reasonably in this matter. Take the instance to which he had first referred. The magistrate would probably go to the Chief Secretary and declare that this man was agitating the neighbourhood, and that he was suspected of being accessory to the firing of some man's house—with which, probably, he had nothing to do. The right hon. Gentleman would write to the police officer or magistrate in the district, which latter would possibly have been dining with some country gentleman, and they would all arrange to make a Report that this farmer was a dangerous man. At the same time, none of them would like to perjure his conscience by swearing to the truth of his belief. The Bill could only be worked on information supplied by three classes—country gentlemen, resident magistrates, and police officers. The Government, therefore, should seriously consider whether they could accept one of the Amendments on the Paper, obliging them to have the sworn information of two persons that they believed the suspected person had committed a crime under the Bill. He did not think the right hon. Gentleman the Chief Secretary for Ireland could possibly judge the truth of every case that could come before him. He would be, after all, obliged to go upon legal evidence; and Her Majesty's Government would be only acting wisely in giving a further amount of comparative security to the classes interested. In the hope of obtaining this he should vote for the Amendment of the hon. Member for Cardiganshire.

Mr. JUSTIN M'CARTHY failed to understand how the Amendment, if adopted, could in any way diminish the responsibility of the Chief Secretary for Ireland. The Bill would not then say that a man must be arrested, but that he might be arrested. It was as much the duty of the right hon. Gentleman to examine into the truth of statements of fact brought before him on the affidavit of two persons, as it would be to examine into the truth of whispered accusations. If the Government had to act on the evidence of spies and informers they would, at least, afford some protection to the freedom of individuals by exacting a sworn statement, which could be kept and afterwards referred to; but otherwise there would be no record of the information on which a man might be arrested and consigned to prison for 18 months. Unless that were done, a perfectly innocent man might be thrown into prison, and there would be no way of finding out who laid the information against him, or what was the excuse for his arrest. The right hon. Gentleman the Chief Secretary for Ireland was, no doubt, a man of boundless intelligence and humanity, and he had said he would examine every case, and that he would expend all his energies in doing so. But how could he do that? Could he go into every village, and, calling the people around him, question them as to the truth or falsehood of each story? Hon. Members knew he could do nothing of the kind. They knew he would have to depend on the evidence of the spy and the informer. Besides, the right hon. Gentleman might not have a perpetuity of Office, and there might come some Chief Secretary for Ireland not so highly endowed and not so highly sympathetic, who would not take the same amount of trouble as the right hon. Gentleman in investigating the cases brought before him. He thought that some check should be imposed upon the overflow of information which would be given by the class of informers who would arise under the operation of the Bill, and should, therefore, vote for the Amendment of the hon. Member opposite.

Mr. Serjeant SIMON said, that when such large powers were intrusted to the Government they should be surrounded with such safeguards as would, as far as possible, prevent their abuse. He did not mean abuse on the part of the Executive in Ireland, because he was sure they would exercise their powers as became the eminent men now filling those high and responsible offices. He referred to the abuse of those upon whose information and evidence they would have to act—the information of spies and others, who came forward on all occasions of this kind, not for the good of their country, but, in some cases, perhaps, for the purpose of indulging in personal spite. Those were abuses inherent in measures of this character, and for that reason he gave the Amendment his support. The right hon. Gentleman the Chief Secretary said if the Amendment were agreed to, and sworn evidence were required, the Lord Lieutenant and he would be left, to a considerable extent, to their own responsibility. How that could be he did not see. So far from their responsibility being lessened by having sworn testimony before them, he thought it would be increased; because when they saw sworn affidavits they would be bound to read them with care, and consider whether the statements they contained were satisfactory and were well founded. He could not see any weight in the argument of the right hon. Gentleman. The Chief Secretary said that an Amendment of this kind would defeat the object of the Bill, which was to enable the Executive to get at a guilty person who, at the present moment, they were unable to touch, in consequence of the difficulty of getting people to come forward to give evidence against him. The persons who were afraid to come forward now and give evidence in open Court would not be afraid to come forward and give information secretly on affidavit, any more than they would be afraid to give information not on affidavit. It was not the police who were afraid to give evidence, nor their myrmidons, nor any of the officials, but strangers, who were in fear of bodily injury and for the safety of their property. But why should these people be afraid to come forward and make an affidavit in private, any more than they would fear to come forward and lay the necessary information before the Chief Secretary, or the Lord Lieutenant? He placed the utmost confidence in Her Majesty's Government, especially when he considered its constitution and the character of some, especially, of the right hon. Gentlemen who belonged to it, and he took on trust their statements on this subject. He was sure that if they had not a sufficient amount of evidence before them to satisfy their minds that a measure of this kind was necessary they would not press it forward; but he was not at all satisfied with the arguments he had heard in answer to the Amendment proposed by the hon. and learned Member for Cardiganshire (Mr. Pugh), and he certainly should support that Amendment. The Amendment lower down requiring—

> "The sworn information of not less than two credible persons, not being in Government pay or employment, and resident in the barony within which the act for which the warrant may be issued is alleged to have taken place,"

to be given, appeared to him equally acceptable and equally good for the purpose; but, whichever was accepted, it appeared to him that they should not be without some safeguard in a measure of this kind. He did not distrust the detective police in Ireland, or those authorities who would have to exercise the powers contained in the Bill; but he thought Parliament ought to adopt all possible safeguards against abuse, especially by spies, who cropped up whenever measures of this kind were in force. He himself recollected many of those cases referred to by hon. Gentlemen opposite—cases of cruel hardship and wrong, inflicted on persons under the last Coercion Bill. He—when sitting on the other side of the House, in Opposition—had heard accounts of suffering endured by men of respectability and character who were put in prison for purely political offences; and, with that experience before him, and with this recollection, he should be bound to do all he could to give security against the improper application of these powers against persons of honour and respectability, whose feelings he respected, however much he might differ from them in the course they were adopting for redressing the grievances of their country.

MR. CALLAN very much regretted that the Attorney General for Ireland had not thought fit to get up in his place and reply to some of the arguments which had been used in support of the Amendment. Possibly he had not yet recovered from his great failure in the matter of the State Trials. He (Mr. Callan) was not in the House when the Chief Secretary spoke; but, no doubt, the right hon. Gentleman would correct him if he misstated what he had said. He understood the right hon. Gentleman to have objected to being relieved of responsibility in this matter, and, at the same time, to have contended that the adoption of the Amendment would fetter his discretion. This he would take as the sense of the two arguments in support of the right hon. Gentleman's opposition to the Amendment. The first three Amendments on the Paper substantially amounted to the same thing, and the Committee could come to a decision on all three in the one division. The Chief Secretary objected to the Amendment because it would relieve him of responsibility; but he (Mr. Callan) should prefer to see the right hon. Gentleman relieved of responsibility. It would be a great gratification to him, and to many others who, like him, had hailed the advent of a Liberal Government as a new era in Irish politics, to relieve the Government of the greatest failure which would characterize their Administration. They were told that the Chief Secretary had accepted his post, and had gone to Ireland with the best intentions; but it was said that a certain place was paved with good intentions, and they knew with what result. With reference to the right hon. Gentleman's objection to being relieved of his responsibility, he (Mr. Callan) was anxious that there should be sworn information to justify the Chief Secretary in his action, because he expected when they were relieved of the right hon. Gentleman's presence and he was back again in Dublin Castle, and the House was in a cooler temper—within a year or two years, or, at all events, before the Dissolution of the present Parliament—that they would be reviewing the right hon. Gentleman's acts or the acts of the Executive in regard to this Bill; and when they did review those acts, it was desirable, in order that they might be enabled to do it properly, that they should have some records to refer to. Suppose one of his (Mr. Callan's) hon. Friends were arrested, on inquiry being at once made, it would probably be said that the Chief Secretary—either he or his noble Friend the Lord Lieutenant—had acted on reliable information, or that they had investigated the case, and had satisfied themselves with regard to its justice. It would be desirable in such a case to have some tangible record upon which, hereafter, if new circumstances came to light they might test the right hon. Gentleman's judgment, and, if necessary, impeach him for his conduct as Chief Secretary. The right hon. Gentleman's subordinates would, it was quite certain, in the operation of this Bill throw dust in his eyes, to use a very common phrase. What possible objection could there be to those subordinates from whom came the information upon which arrests were made—were they sub-inspectors, resident magistrates, or policemen—being required to make affidavits, and give the grounds on which they claimed that warrants should issue? Did the Chief Secretary wish to lead the House to believe that no warrant would issue for the arrest of a person under the Act until he had first investigated the circumstances of the case? If that was so the House would be relieved of the presence of the right hon. Gentleman for a considerable time. The right hon. Gentleman objected to have his discretion fettered—he came before them and said—"I wish, under this Act, to arrest anyone I think fit, and my discretion is not to be fettered." He (Mr. Callan) maintained that the right hon. Gentleman's discretion should be fettered, and he would give his reason for maintaining it—he was sorry, by the way, that the Chief Secretary had left his seat, as he should have liked to have had his attention to a case he was about to quote. Under the last Coercion Bill the resident magistrate—Captain Keogh—and the sub-inspector of Dundalk did certain things. He (Mr. Callan) made a complaint to the Chief Secretary, and followed the matter up, as he usually did whatever he took in hand, to the bitter end; and what was the result? The noble Lord the present Secretary of State for India—who was then Chief Secretary for Ireland—compensated the injured person. For the acts of the resident magistrate and the sub-inspector the noble Lord paid as compensation a sum of £15, though whether that sum was paid out of the funds of the Executive or those of the resident magistrate and sub-inspector he did not know. However, this was a case in point—a case in which the Chief Secretary was compelled, by the fairness and reasonableness of the case, to fine the Government or the resident magistrate and the sub-inspector a sum of £15 for their unlawful acts. But this happened because there was a record to appeal to. The magistrate and the sub-inspector denied the facts alleged against them but; there was a record in existence, and he (Mr. Callan) knew where it was. By perseverance he obtained the record, put to shame their denials, and they were fined. Now, the Chief Secretary for Ireland had what no one else amongst them had, the power of making a reply. Would he, when he came to reply, tell the Committee that he would not issue a warrant, or allow one to issue, for the arrest of any person, unless on information—he would not say sworn, but detailed information—of the grounds on which some splenetic sub-inspector, partizan resident magistrate, or untrustworthy sectarian bench of magistrates had made their representations to the head officials not on oath, not on their honour, but simply, perhaps, in a letter or a whisper, declaring that it was desirable, in their opinion, that a certain person, who was at the bottom of the disturbance going on, should be arrested. If such information was not to be given he was very glad that he lived out of Ireland. He should be very sorry for his liberty to depend upon the "discretion" of either the Chief Secretary for Ireland or the Attorney General. Remembering the antecedents of these two right hon. Gentlemen, he should say that very few persons of any independence of character would be safe in Ireland. He should be sorry to trust his liberty to the right hon. Gentlemen, or to any Member who, ever since he (Mr. Callan) first came into the House 13 years ago, had never lost an opportunity of voting for the most offensive clauses in every Coercion and Suspension of the Habeas Corpus Act that had ever passed. He had gone over the Division Lists to see if his memory—which was usually accurate—was correct, and he found that it was. The right hon. Gentleman, ever since he came into Office in 1866, had voted for these offensive clauses; and he was the only Minister whose record was clear as a most determined opponent of the liberties of the Irish people. In late hours, when the Chief Secretary was in bed, or when——

THE CHAIRMAN: Order! The hon. Member is travelling beyond the Amendment before the Committee.

MR. CALLAN said, he only wished to show how necessary it was to fetter the discretion of the right hon. Gentleman the Chief Secretary. The *personnel* of the Chief Secretaryship, and other offices in the Government, with all due deference, was a material matter for their consideration. In the course of these debates they had been told, over and over again, of the benevolence of the Chief Secretary, and his high character, and they had been assured that they might without fear trust their liberties in his hands. Well, he would show the great difference that existed between the right hon. Gentleman and the Chancellor of the Duchy of Lancaster—whom he was sorry not to see in his place. The Chancellor of the Duchy of Lancaster had never voted for a Coercion Bill; but the Chief Secretary had shown and proved his tyrannical and arbitrary disposition towards Ireland by being the only Minister of the Crown who, for a period of 16 years, had never lost an opportunity of voting for the coercion of Ireland. This, he thought, sufficiently exposed the hollowness and falseness of the benevolence of the right hon. Gentleman.

MR. D. DAVIES thought that the proposition of the hon. and learned Member for Cardiganshire (Mr. Pugh) was, perhaps, going a little too far. He could imagine a case where three men were together, one of whom murdered another, leaving only one witness of the crime. This witness should be allowed to give information. Therefore, he would suggest that instead of its being necessary for "two persons" to make affidavit, "one person" should be inserted. This would be a reasonable alteration for the Government to accept. He failed to see the objection to a man who gave information privately making an affidavit. It would not come before the public, as the Chief Secretary would be the tribunal to consider it, not a jury; and, as he understood it, the great difficulty in the way of the carrying out of the present law was not only the difficulty of obtaining evidence, but that of getting juries to convict. For his own part, he would rather that 50 guilty men should be let at large than one innocent man should be imprisoned. No doubt there was a difficulty in this case, and a serious risk that innocent people would be made to suffer; therefore, he should go with the hon. Member for Cardiganshire, trusting that the Chief Secretary would see his way to the acceptance of the Amendment altered as he had proposed. It would be most arbitrary to allow a man to be taken up on suspicion without requiring any formal information at all to be laid against him.

Mr. P. MARTIN trusted that the Chief Secretary would listen to the suggestion now made. He could not believe the Government intended that these warrants were, in fact, to be issued, unless they had some positive sworn information to prove the grounds of suspicion. Why, then, ask for such arbitrary powers, which would excite just indignation in Ireland? Under the provisions of the Bill the Chief Secretary was now entitled to act of his own free will—or possibly caprice—to put the monstrous powers conferred by this Bill in motion on a mere hint or suggestion, without having anything in the nature of an information, record, or even statement to show the grounds or reasonableness of the suspicions he had formed. As a check and control on the unjust issue of these warrants some official record should be made at the time. To come to a sound opinion upon the Amendment, the Committee must look at the character of the Bill. Since the Habeas Corpus Act was first suspended, in respect to Ireland this was the first Bill which had ever been introduced into the House in which the power of issuing these warrants was proposed to be given to a single man. An inspection of the Acts of Parliament would show this—that up to the introduction by a Liberal Government of the present Bill, in the case of the suspension of the Habeas Corpus Act, power had never been given to one person to issue warrants; but it had been necessary for them to be signed by six Members of Her Majesty's Privy Council in Ireland. For reasons best known to the Government, the power was now solely invested in the will and discretion of the Chief Secretary; therefore, if that right hon. Gentleman was anxious to carry out the measure in a fair and proper and generous spirit he would desire, even for his own protection, to have this provision made with regard to sworn information. Were they going to permit this to take place—a man to rush into the Castle and say in a hurried manner that someone had written to him declaring that so-and-so was a suspicious character, and on such information the Chief Secretary to issue his warrant? Was there to be no opportunity given to the accused for refutation or explanation; but was a warrant to be hurriedly issued after five minutes' conversation with the Chief Secretary? and was the person who told the hurried tale to the right hon. Gentleman to submit to no verification on oath, and was there to be no regard hereafter as to what had been done? He did not think anyone who understood anything about the principles of evidence, would say that there was any matter on which it was more difficult to arrive at an accurate judgment than a mere *ex parte* statement. Anyone who had been accustomed to practise as a counsel would know that when he heard the mere *ex parte* statement of his own client without having been made acquainted with the views and contentions of the other side, it was most difficult to arrive at a just conclusion. Knowing, therefore, how, in working an Act of this description the Chief Secretary would have to rely on information coming through most suspicious channels, for his own protection and for his own sake the right hon. Gentleman ought to be most anxious to obtain the benefit of sworn information. But whether that were so or not, for the sake of the public whom the House represented, he hoped they would not subject a whole people to a cruel and oppressive and tyrannical law without acknowledging their right to have the benefit of a record of the facts and circumstances which came under the Chief Secretary's notice upon the strength of which he issued his warrant.

Mr. W. CORBET supported the Amendment of the hon. Member for Cardiganshire. He was not at all surprised at the support that Amendment was receiving from Members on the Ministerial side of the House for a proposition to take away the liberty of the subject on "reasonable suspicion" must strike the mind of Englishmen in a very remarkable manner. They had not yet heard what "reasonable suspicion" was defined to be. The Chief Secretary thought of having this "reasonable suspicion" unverified by an affidavit; but the hon. Member for Cardiganshire questioned the kind of information that would be supplied to the right hon. Gentleman even on sworn information. He wished to call attention to a case which had come within his knowledge very shortly before he came over from Ireland—a case in which processes of eviction were about to be served upon a whole family. It unfortunately happened that there was sometimes in such districts a *mauvais sujet* or dissolute ruffian, to use a favourite phrase of the right hon. Gentleman the Chief Secretary, who was, unfortunately, too often in accord with the police. It was so in this instance, the individual being, as was often the case, the person to whom was confided the serving of processes of ejectment. Well, on a certain evening, the evening before the processes were to be served, this man, as he alleged, was fired at. On his way to his home he passed by the police barracks, but made no report of the circumstance. He passed by the barracks again on the next morning, coming down to serve the processes of ejectment; but still made no report. He went into the house of a most respectable family—he (Mr. Corbet) knew them all very well—and served his processes of ejectment, and did this without seeking any protection whatever against the man whom he was going to charge with having fired at him. He then went to the police barracks and made an accusation against Patrick Kelly, a young man of high intelligence and good character. Upon the information of this wretched creature the magistrate issued a warrant, and this young man was dragged out of his house and sent to the gaol at Wicklow. Hearing the facts, he (Mr. Corbet) himself, accompanied by the parish priest, went up to the committing magistrate and requested that bail—substantial bail—might be accepted. The magistrate declined. Sometimes, unfortunately, in Ireland, these gentlemen were only imperfectly acquainted with the law they had to administer. It was so in this instance. The magistrate did not seem to understand the application, and he put them off. He (Mr. Corbet) applied, however, to the Bench of Magistrates at Newtown, Mount Kennedy, informing them that he knew the character of the young man, and that he also happened to be acquainted with the character of this wretched creature the process server. The accused, however, who was put in gaol before Christmas, was kept there until the last Quarter Sessions, when he was brought up before the Grand Jury, who threw out the bill against him. If this case had happened under the present Bill, the accused might be kept in custody for 18 months on a false charge, without an opportunity of defending himself. He did trust that the Chief Secretary would accept the proposition which had been made to him—the very reasonable proposition, that in every case where a warrant was granted evidence must have been given on affidavit by not less than two witnesses.

Mr. O'SULLIVAN said, he had very substantial reasons for supporting the Amendment. The Bill, as it at present stood, would put most tremendous power into the hands of the Lord Lieutenant and the Chief Secretary, unless some such safeguard as this were adopted. He could give a very strong case of the abuse of the Coercion Act of 1867. Under that Act he himself was arrested without any cause whatever being assigned. Four officers came out from Limerick, a distance of 20 miles, to arrest him, and the only ground they could allege for it was, that a servant of his had been in conversation with an officer that day, and the fact had become known that he had 70 or 80 sovereigns about him. It was stated that this money was to pay the Fenians in that district; but he had denied the truth of this statement, informing the police that, in accordance with custom, he had sent his servant to the bank with a quantity of notes to get changed for gold. He asked to be informed of any further charge they had to bring against him; but they had nothing else to allege, and he was committed to prison without any warrant from the Lord Lieutenant. The officers did not wait for the warrant, but took him to gaol without making any charge against him beyond what he had mentioned; and it was not until he had been in prison eight days that the Governor came into him and informed him that he was then in possession of the warrant. The Committee were told that under the present Bill no one would be arrested except upon the warrant of the Lord Lieutenant; but he (Mr. O'Sullivan) had been arrested without cause and without warrant, which did not come down until he had been eight days in gaol. This showed the Committee that under a Coercion Act a man could be thrown into prison, and the warrant for his arrest could be afterwards procured at the leisure and pleasure of the police. Although no charge was brought against him, and he was accused of no offence, he was kept for 121 days in prison, the only offence alleged being that his servant had been taken at Limerick with a certain amount of money in his posession. He was arrested in the middle of the night and taken on an outside car to Limerick, and for 121 days he was not allowed to see any of his family, or to give any instructions to his family with regard to the conduct of his business. A burglar, or a robber, or a murderer, would not be treated in that way. Those in prison did not suffer bodily torture like Italian prisoners; but they suffered in mind, and were surrounded by demons who continually harassed them. The very day when he went into the prison the Governor and warder went to see him, and asked if he was all right. He stated that he was; but immediately they left, the warder went back and told him he was to take his hat off every day when he was taken down to see the Governor, while he walked round him and examined him. He asked if that was the rule of the prison, and being told that it was, he said he should, of course, obey it; and every day he was made to stand up like a recruit while the Governor was walking round him and calling "attention," or making any other remark to degrade him. With the exception of an hour and a-half, he had to spend 24 hours every day in a miserable cell 15 feet by 7.

The CHAIRMAN: I am sure the Committee bear a good deal of sympathy with the hon. Gentleman in his explanation of his case; but I think that, by going into all the details, he is going beyond the subject of the Amendment altogether.

Mr. O'SULLIVAN said, that, with all respect to the Chairman, he thought he had a right to show what the treatment was that they had to expect under that Bill.

Mr. J. COWEN, rising on a question of Order, said, the Government were going to pass a Bill to confiscate the liberties of the Irish people; and he wished to ask whether the hon. Member was not fairly in Order in describing the experience he had himself undergone?

The CHAIRMAN: The Committee sympathize with the hon. Member when he explains how he was arrested without proper warrant; but, in entering into all the details, he is going beyond the Question before the Committee, for he has not as yet brought any application of his case to the subject-matter of the Amendment.

Mr. O'SULLIVAN, continuing, said, that he did not state his case in order to obtain the sympathy of the Committee, but simply to show what prisoners under that Bill, if it was brought into operation, had to expect from a Liberal Government as well as from a Tory Government. He had suffered under a Tory Government; but the Liberal Government had the same officials at Dublin Castle, and they must expect the same treatment. He did not wish to go beyond his province; but he had held a licence for an hotel for 21 years in his town, and during that time not a single charge had been made against him; but, notwithstanding that, the officials had deprived him of his licence simply because he was not at home to mind his business. That reminded him of the story of a farmer who tied up his mare at the door of a public-house while he went in to drink, and when he came out and remounted he beat the animal in order to make it go, but forgot that he had himself tied it up to the door. He had been punished because he was not at home to look after his business, although the very gentlemen who punished him were those who had kept him away from his business. If he had chosen to go under compliment or favour to the Government he need not have been kept in prison a second month; but when he found himself wronged he never would go under compliment to the Government, and would rather remain in prison for a century. He was removed to Dublin. From the moment when he left Limerick he was kept tightly handcuffed, although there was no charge whatever against him; and he did not think such treatment as that would be used towards the commonest robber in Ireland. He hoped that, on re-consideration, the Chairman would find that what he stated as to the treatment prisoners had received in 1868 was not out of Order. The Chief Secretary had promised guarantees that the Bill should not be abused; but the right hon. Gentleman must know that he was not giving this power to himself or to the Lord Lieutenant alone, but he was giving power to every police officer and every policeman in Ireland, and it would often be used for vindictive purposes more than for political or agrarian outrages; and unless some close watch was kept on the working of the Act many men against whom no charge could be brought would be thrown into prison.

DR. COMMINS said, he had listened to the arguments advanced by the two or three speakers who had spoken in support of the Amendment under discussion; and he thought that if it were at all necessary to show the impolicy of the Bill those hon. Members had conclusively proved it, and that the Amendment was much better than the original clause. Even at that hour he hoped that some feeling of veneration for the ancient liberties of his country, and some feeling of respect for the long-tried and proved judicial procedure in this country, might be awakened in the minds of those who had hastily voted for the second reading of the Bill. It was said that this was a Bill for protection, and that it could not be worked except by working it without evidence. The Chief Secretary thought that he must proceed without evidence; and he objected to any evidence, by affidavit or otherwise, any record of the facts upon which he formed his judgment. That was the most monstrous proposal he had ever heard in the course of his life. It was a well-known principle of law that no person should be condemned except on evidence; but the Chief Secretary declared that he must proceed without evidence, and that the very principle of his Bill was that he must discard evidence. He must proceed in the dark, with stealthy paces, concealing his steps, and leaving no trace behind him to show whether he had proceeded justly or with the slightest regard to the recognized principles of law or not. That was what he said was necessary, in order that the Bill might be of any use. He said, further, that to ask him to proceed upon evidence was contrary to the scope of the Bill. The scope of the Bill was not then under discussion; but, no matter what the scope of the Bill was, he objected to the Chief Secretary being allowed to act in that secret and stealthy way, when he owed responsibility only to himself, and where the responsibility was such that it might happen that the Government would discharge him. He said still further that there was no use in fettering him. He (Dr. Commins) was astonished to hear a Minister object to being fettered against arbitrary power. Arbitrary power was foreign to ordinary justice and to the ordinary Government of this country. The law had to be exercised according to prescribed rules, and arbitrary power was contrary to the spirit of all English institutions. Where anything like judicial power had to be exercised, the principle was that the person who exercised it must exercise it openly, and subject to some safeguard to show that he exercised it rightly. He must exercise it in such a way that his action might be open to question. What safeguard was there that this power would be exercised properly, judicially, or justly? There was nothing, unless this and other Amendments of a similar kind were introduced into the measure. Now, even supposing that it might be necessary to commit a man on suspicion —that was done in England every day —but the judicial experience of centuries had proved it to be necessary to fetter those who commit people to prison. The charge of crime was sufficient to imprison; but the magistrate must do it on a warrant, and that warrant was subject to revision afterwards; and in every case where it was required that the liberty of the subject should be abridged in the slightest degree, it was required that a sworn information should be taken by the magistrate, and any imprisonment without sworn information was illegal and improper. Why was that necessary? Because long experience had shown that magistrates were liable to be deceived; that people, actuated by private motives or over-zeal, as policemen might, or persons having some sinister end to achieve if they could by a whisper, or, as it was in Venice, drop some secret information, as it were, into the "Lion's mouth," and so cause the arrest of a person—that process would be largely used, and magistrates would be weak-kneed enough, or ignorant enough, to play into the hands of malicious or ignorant or over-zealous people. Wherever there was to be an arrest under a warrant there must be sworn information. What was the objection to having sworn informations in this case? It was said that they were no use; but that argument was more monstrous than the original proposition. Was that the character the Chief Secretary gave to those whom he described as the supporters of law and order? Was that the character of the supporters that he was to rely upon? Were they all perjurers; were they all men who would take away without ground or reasons the liberty of their fellow-subjects; who would try to deceive him upon sworn information? Was that the character of the men by whom law and order were to be maintained? That was the character given by the Chief Secretary to the sort of evidence he would get upon sworn information. That was not all. It was said that, although the Chief Secretary had not said so on that occasion, he would, no doubt, have an opportunity of speaking again on the question, and then he would undertake to be responsible on the floor of the House. If there was ever anything less than the shadow of the shade of responsibility, it was the responsibility to which the Chief Secretary offered to subject himself. He should like to know how the Chief Secretary could answer for the 500 or 600, or 1,000 or 2,000 arrests he proposed to make in the course of the next month without sworn information to answer from; without a witness to whom he could appeal; without a single person who could come forward and support his suspicions in a particular case? Those things were not likely to be confined to the place where the disease first broke out; and he warned hon. Members that if they introduced this gangrene into Ireland they had better beware that it did not reach the centre and the heart of England. With suspicion upon which nobody appeared to offer himself as a witness; suspicion not guaranteed even by ordinary sanction; suspicion by such people as the Chief Secretary depended upon for the maintenance of law and order, the Chief Secretary would not give even that slight hold upon such people as fear of penalties for perjury might constitute. What was the use of the guarantee of the right hon. Gentleman there upon the commitment about which he had no record, and dared not disclose the person who had given the information upon which it was effected? *Sic volo, sic jubes; stet pro ratione voluntas.* That was not a proposal to which he could give his adhesion, and therefore he should support the Amendment. They had been told of the indignity and the grave injustice to which the hon. Member for Limerick (Mr. O'Sullivan) had been subjected; but they need not go into that particular case to know what the exercise of despotic power meant. They need not go into or appeal to the descriptions given by the Prime Minister of the sufferings of people in Naples; they need not refer to the hundreds of cases there were to show that despotic power was unjust, and must be so. The hearts of English people were alive to what arbitrary imprisonment was; thanks to the long battle fought by Englishmen, they knew it well, and could send out their sympathy to the prisoner in his cell; and when they knew not the realities of a dungeon, they could enjoy the imaginative pleasure of contemplating what it had been in these climes. He asked those who felt that sympathy to interfere at the last moment to lessen the dangers threatening their fellow-subjects; to prevent the attempt to weaken all respect for Constitutional authority in Ireland, and all respect for that trust in their governors that they would be just. He admitted that there were hon. Gentlemen and right hon. Gentlemen in the Government of Ireland to whom he could trust all he had, even his life; but they were not infallible. They were at the mercy of men to whom he would trust nothing—men who had their own objects to effect, who had to defend what they considered their rights and privileges, and who would defend them at any cost. He asked hon. Members not to place the people of Ireland at the mercy of—to use the language of the Treasury Bench—miscreants; he begged the Government not to make themselves the tools of miscreants, without the dread of any moral or legal consequences unpleasant to themselves for taking away the liberties of their fellow-subjects. It might not yet be too late to so amend the Bill as to make it not intolerable; to soften its asperities, so as to make the Irish Members and the Irish people to forget its injustice. He implored hon. Gentlemen opposite to assist the Irish Members in introducing something into the Bill which would be at least partially successful in preventing such disorder as there might be, and not make themselves responsible for far greater disorder.

Mr. BYRNE saw the Amendment did not go as far as he should wish, nor as far as it ought to go, inasmuch as it provided that two witnesses should, on their affidavit, be sufficient to take away the liberty of any individual. The case of the hon. Member for Limerick was, he thought, the strongest case that could be put to show what could be done, and what had been successfully done upon evidence something like that provided for by the Bill—reasonable suspicion. He did not know what reasonable suspicion was; but he had some idea what proof was. He had heard suspicion discussed in the Courts in England, and had heard a learned stipendiary magistrate speak upon the subject. Mr. Raffles had stated that a case brought before him was one of very strong suspicion; but such a case must not only be on sworn information of suspicion, but must be proved. He should not be satisfied to commit the man on suspicion only; the case must be proved up to the hilt, and without any possibility of dispute. He would put another case. Suppose any gentleman, or any other person in England, or anywhere where his liberty could be taken away—he would suppose for a moment that some hon. Gentleman in that House had the misfortune to lose his reason and become a lunatic. What was the procedure required by the law? The law was not satisfied with suspicion; it must have proof. The manager of the asylum, whether private or public, must produce written proof of the man's lunacy; he must produce certificates under the hands of two qualified physicians before the man's liberty could be taken from him, although it was admitted that a person in a condition of lunacy was dangerous to himself and to the community. In acase of high treason surely there should be proof at least as strong as in the case of a man out of his mind. He thought the Chief Secretary would see that it would be an advantage to himself to have some evidence, because it could not be assumed that he would go into all the cases himself. He was not in Ireland for some months of the year; but even if he were there for six months he would not always be on the spot, and must dispose of cases by deputy in some way or other. Although they had implicit faith—he would put it to illustrate the case—in the Chief Secretary and the Lord Lieutenant—Gentlemen whose character and position he would also admit, for argument's sake, were beyond question—what guarantee was there that they would be in Ireland a week hence? They might be in kingdom-come, or out of Office; and they might be succeeded by Gentlemen in whom he could not have so much confidence. Although the Chief Secretary said he would see that the Act was not abused, there was no evidence that he would be in Office during the 18 months the Act was to run. The least evidence that ought to be acted upon in a case of taking away a man's liberty should be as strong as that upon which a lunatic was committed to an asylum. In regard to asylums, inspectors were provided to see that no one was detained against his will, or otherwise wrongly detained; but there was no evidence that anyone would be appointed to go round the prisons to see that men were imprisoned improperly. He took it that the object of the Government was to have ample power to lock up those persons who were dangerous to what was called law and order. It might be that the Government wanted to get rid of the village tyrant; but there was another person equally dangerous, and that was the village informer; and it was not a reasonable proposition to put to the House that the evidence of such a man was reasonable suspicion. It appeared to him that if he were to go to a bank or any institution in England to borrow money——

THE CHAIRMAN: There are several Amendments on the words "reasonable suspicion" to be discussed afterwards. At present we can only keep in Order by attending strictly to the Amendment before the Committee, which is that there shall be the sworn information of two persons.

MR. BYRNE, continuing, said, he should support the Amendment, not only because he approved of it, for he thought it was scarcely sufficient, but because he held that no man's liberty should be taken away on suspicion, but only on strong evidence, such as was furnished in the case of a lunatic. As the English stipendiary had said, the case must be proved up to the hilt.

MR. GRAY said, that if the right hon. Gentleman the Chief Secretary would not accept the Amendment, it would be satisfactory to him and to other Members if the right hon. Gentleman would guarantee that he would provide against false evidence causing a man to be committed to prison, and would say what mode of punishment he intended to provide for any perjurer who succeeded in having an innocent man sent to prison for 18 months. The right hon. Gentleman would be in his place in Parliament for a considerable part of the year, and therefore his guarantee of his individual investigation of the cases would not suffice; and he must confess that he would not be in Ireland, even if individual investigation of all the cases were possible. He presumed the Chief Secretary would scarcely contend that in his absence the Lord Lieutenant would examine into every case. It was only a pretext, and the matter must rest in the hands of subordinates; and the right hon. Gentleman could not deny that it was probable that under this Act innocent men would be arrested on information supplied by malicious persons having private and personal motives. Was it the intention of the right hon. Gentleman to provide any machinery for punishing persons who gave false evidence, so as to secure persons from being maliciously imprisoned? If it was the intention of the Government, would the right hon. Gentleman explain to the House what that machinery was. Or did he intend to secure immunity for any person who made a false accusation, and who ought to be punished for making it? He trusted that the right hon. Gentleman was prepared to tell them the exact position of the Government in that respect. He quite agreed with the hon. Member for Newcastle (Mr. J. Cowen) that those who expected the Bill to be permissive counted very much without their host. There would be men who would be ready to give false information, acting upon which innocent men might be deprived of their liberty. Were the Government determined to provide no machinery to punish such individuals? If they were going to make such provision, it was the duty of the Government to state what it was, so that the House might be prepared to accept it if they could. Even if they intended that the innocent only should be punished, the time had now arrived when it was desirable that they should say so.

Mr. T. D. SULLIVAN supported the Amendment, which simply required that, before any man was committed to prison under the provisions of the Act, there should be an affidavit from two witnesses charging him with some offence. If this were not done, what would happen. They had heard much about the sending of threatening letters in Ireland, and the commission of cowardly and dastardly outrages. The men who sent these threatening letters and committed these mean, dastardly, and cowardly outrages were the very men who would be the informers—the very men who were capable of sending innocent men to prison under the terms of this Coercion Act — the very men capable of going to their "masters," as they called them—the magistrates and the landlords with lying stories concerning other men against whom they had a personal grudge and a personal spite, and, by that means, depriving them of their liberty. He considered that without some protection such as that proposed in the Amendment of the hon. and learned Member for Cardiganshire (Mr. Pugh) there would be a fearful risk and a fearful peril for the people of Ireland. He asked every hon. Member whose mind was open to conviction to consider the point which he had placed before them. He alleged with the utmost confidence that the perpetrators of these mean and dastardly outrages—outrages committed against the wish and the express directions of the Land League—these dastards, cowards, and criminals who had been doing these detestable acts—were the very men capable of depriving honest men of their liberty under the provisions of this Act. They would go to the magistrates and make themselves "good men" with them by conveying to their ears stories which they knew these gentlemen wished to hear; stories they knew they were ready to listen to; stories they knew these gentlemen would convey to Dublin Castle. He knew that this would constitute a real peril to honest men in Ireland if no provision were made against it. Was it too much to ask that these informers should, at least, commit their consciences to the truth of their statements by being required to make an affidavit? The point just raised by his hon. Friend the Member for Carlow (Mr. Gray) was whether there was to be any provision inserted in the Bill for the punishment of men who gave false information, so as to deter men of the class he (Mr. Sullivan) had been speaking of from seeking to deprive honest men of their liberties, or swearing them away. There used to be so much, at all events, placed in the way of the informer. It used always to be required of the man seeking to obtain blood-money that he should make an oath as to the truth of his allegations. But now, in the present Bill, it was proposed to dispense with this little difficulty, and make it easy for the informer—for the rogue and the criminal to deprive honest men of their liberties by providing that it should not be necessary for them to make either an affidavit or an oath. If it happened that honest men were deprived of their freedom and liberty by such criminal proceedings on the part of these low creatures, was there to be no remedy for those who were innocent, but were unjustly accused? Would Her Majesty's Government put no barrier in the way of such men? Would they place no deterrent in their way? but would they leave them free to deal as they liked with any of their neighbours against whom they might have reasons—low, perhaps, and mean and spiteful—for desiring to see them placed in a prison in Ireland for 18 months? These points he wished to urge respectfully upon the attention of the House. Hon. Members had voted in an immense majority for the second reading of a measure of coercion of some kind; but it was still open for them to modify any provision that might be exceedingly cruel, impolitic, hurtful, and injurious in the measure. The point towards which the Amendment was directed was one of them; and he asked the House to consider seriously whether some barrier ought not to be placed in the way of these informers, so as to remove them from the temptation of giving false evidence. The right hon. Gentleman the Chief Secretary for Ireland must necessarily act upon information and advice given to him by other people. He was to act on what was called "reasonable suspicion;" but who was to judge of the reasonableness of it? The right hon. Gentleman himself could not judge. He understood that it had been ruled that hon. Members could not at this moment enter into that question at any length; but even at this stage of the Committee the reflections arising out of a fair consideration of the clause and of the Amendment proposed to it were of some importance. The simple proposition was that, in order to prevent an innocent man from becoming the easy victim of a rogue and a criminal, an affidavit should be required from the informer in support of his allegations. He sincerely hoped that the Committee would be prepared to accept the proposal made by the hon. and learned Member for Cardiganshire (Mr. Pugh).

MR. GILL said, that, in conjunction with all the other Irish Members sitting around him, he felt bound to put in his protest against the extreme unfairness of the proposition before the Committe as contained in the Bill. He thought that the Amendment submitted by the hon. and learned Member for Cardiganshire (Mr. Pugh) was one which certainly all reasonable men could without difficulty accept. When the people remembered the way in which this class of common informers had already acted in Ireland, and when they knew that under the Bill they would become the supreme arbiters of the fate of hundreds and thousands of innocent men, they would undoubtedly, remembering the past, look with something like terror at the way in which it was probable they would act in the future when the country was under a Coercion Act instead of being under the ordinary laws of the country. He hoped that hon. Members would bear in mind the way in which the magistrates had acted hundreds of times in the North of Ireland when the ordinary law of the country was in operation. In many of the afflicting scenes which had occurred in Ulster, and which were a disgrace to the country, and which some hon. Members on that side of the House who had been subject to terrorism in the past had been sent into Parliament to prevent, if possible, in future, the most terrible forms of terrorism were exercised. It must not be forgotten that in the bloody scenes which had been of frequent occurrence in the North of Ireland men had been frequently arrested on both sides—both Orangemen and Roman Catholics—and that, in many cases, while the Orangemen were allowed to go free the Roman Catholics were all sent to prison. Nor must they forget the infamous character of the common informer in Ireland. They must not forget that there existed men who would go to the Roman Catholic Church and receive the sacrament for the sole purpose of being able to come forward afterwards and give evidence against those who administered it and whom they met in the church. He thought the proposition contained in the Amendment was a fair and reasonable one—namely, that if they were to be sent to prison without having the right to be brought before a Judge and jury for many months, they should, at least, be sent to prison only on some kind of sworn evidence that would commend itself to the common sense of the majority of the people. He feared very much, if Her Majesty's Government declined to accept the very fair and reasonable Amendment which was now before the Committee, or, at any rate, to accept something equivalent to it, that they were resolved to carry out the Bill on the same harsh lines that had already been predicted, and that it would be almost useless to make any futher appeal to them to modify the extreme rigour of the measure. He trusted that this would not be so; but that hon. Gentlemen on both sides of the House would see the fairness of the proposal, and that, at least, as his hon. Friend the Member for Carlow (Mr. Gray) had pointed out, they would prescribe some kind of deterring punishment for the man who made a false accusation. It was highly necessary that some means should be devised by Her Majesty's Government by which to insure that the autocratic power it was sought to place in the hands of the police officers, magistrates, and others in authority in Ireland would not be abused.

Mr. BIGGAR wished to say a few words on the Amendment now before the Committee before a division was taken. ["Divide!"] He would promise that he would only say a very few words. What they were asked by Her Majesty's Government to do, as he understood the matter, was to sanction the imprisonment of certain persons in Ireland without any evidence being forthcoming to prove their guilt. That was what the proposition of the Government amounted to. In Ireland, in the ordinary course of law, a decree for 5*s.* would not be given even in an undefended case without requiring two affidavits to be sworn in favour of the decree—first, that of the process-server, to prove that he had served the process; and, next, that of the person claiming the debt, who would have to swear that the debt was due. Her Majesty's Government now proposed to consign persons to prison in Ireland without requiring any sworn evidence at all. He did not think that their position was at all tenable. In fact, no punishment should be imposed upon any person, however slight, without requiring some sworn evidence to be given in substantiation of the guilt of the accused. In all of these cases the information must come from somebody, and it would not increase the responsibility of the right hon. Gentleman the Chief Secretary to require that the information and evidence should be upon oath. If the evidence were required to be on oath the Executive must use some discretion and judgment in the charge he preferred, and they would see at once whether the information was of such a nature as to justify the issue of the Lord Lieutenant's warrant. The right hon. Gentleman said that the Government would feel their responsibility, and would make careful inquiry; but he (Mr. Biggar) really did not see what there would be to prevent them from being imposed upon by false information. Her Majesty's Government could scarcely appreciate the class of persons who would be the witnesses, and the class of persons who would have to hear their statements and report to Dublin Castle. He would read a short note which he had just received from a friend in the county of Derry, in the North of Ireland. It had relation to the conduct of a gentleman who was a magistrate for two counties; and he (Mr. Biggar) thought it showed the desirability of having sworn evidence, or an affidavit, so that every person making a charge would be liable to the penalties which attached to the bringing forward of false accusations. He who simply preferred a false charge on unsworn evidence was not legally liable to any punishment; but if, on the other hand, he swore untruly, and the Government found that the charge he made was false, could afterwards put the law in motion, and bring the informers to trial for perjury. He would read the short note he had received, because he thought it furnished an illustration of the way in which the Bill, when it came into operation, was likely to act. It also showed the desirability of having all the safeguards that could possibly be included in the Bill in order to secure that the measure should not be used for revengeful or tyrannical purposes. The writer of the letter in question said he wished to draw attention to the fact that a gentleman, who was a justice of the peace for two counties, had used threats against an officer of the Irish Land League. His name was Marcus Gage, and he was a tenant of the Hon. Robert O'Neill, who was Member for the County of Antrim in the last Parliament. Mr. O'Neill returned a portion of the rent last year, and offered to make the same remission this year; but the offer was refused, and the tenants went away without paying. The interview took place at Mr. O'Neill's house, and after a considerable number of the tenants had gone away, Mr. Gage was heard making use of the following words, addressed to an officer of the Land League:—

> "There is a conspiracy here; but we shall soon hang a few of the Land Leaguers as an example to the rest, and then we shall be able to have the rents collected."

This was a sample of the spirit in which some of the magistrates would be prepared to put the Act into operation. He had given the name of the magistrate, and he was prepared also to give the name of his informant. At any rate, it showed the desirability of the sanction of an oath to evidence of this nature, so that it would be less possible for any imposition to be passed off upon the Government. Personally, he had no *bonâ fide* substantial belief in the right hon. Gentleman's capacity or ability in a matter of this kind, or in the honour of any Member of the Government; but, at the same time, he thought it was desirable, if the Executive were to have the powers they asked for under the Act should have something like evidence before them to establish the guilt of the accused. It was such gentlemen as Mr. Marcus Gage into whose hands the Government were now playing, and it was from the tyranny of such men that he was anxious, if possible, to save the people of Ireland. If the Government were really anxious that justice should be done they would agree to the Amendment; but if, on the other hand, they desired to play into the hands of the honest landlords and become their confederates, rendering themselves equally guilty with those they supported they would retain the Bill in its present shape.

Question put.

The Committee *divided*:—Ayes 60; Noes 149: Majority 89.—(Div. List, No. 30.)

MR. A. M. SULLIVAN rose to move, in page 1, line 6, after "Lord Lieutenant," the insertion of the words—

> "Acting upon the sworn information of not less than two credible persons, not being in Government pay or employment, and resident in the barony within which the act for which the warrant may be issued is alleged to have taken place."

THE CHAIRMAN: The Amendment of the hon. and learned Member cannot be put, because it really raises the same question as that which has already been decided.

MR. T. C. THOMPSON said, he wished to move an Amendment to provide that the person arrested, instead of being "suspected of having" been guilty of treasonable practices, should be "believed to have" been guilty of them. ["Progress, Progress!"]

MR. GLADSTONE thought this was a convenient point for reporting Progress; and he would, therefore, make a Motion to that effect.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Gladstone.*)

MR. DILLON wished, before Progress was reported, to ask the First Lord of the Treasury if he would give an opportunity, on some early day, for a discussion of the War in the Transvaal?

THE CHAIRMAN: That question has no relation to the subject before the Committee, and cannot be put.

MR. DILLON said, he had intended to explain the relation. He was going to explain that as he understood the matter——["Order!"]

THE CHAIRMAN: I have already ruled that the subject upon which the hon. Member desires to put a question is not within the Motion before the Committee.

MR. T. P. O'CONNOR said, he should like to ask on the question of reporting Progress whether the right hon. Gentleman at the head of the Government intended to take the Bill to-morrow. The right hon. Gentleman nodded his head. He would appeal to the right hon. Gentleman not to proceed with it until Monday, and if he was in Order he would give his reasons for making that appeal. Up to the present moment they had never had any discussion upon the merits of the Bill. ["Order!"]

THE CHAIRMAN: The hon. Member is quite out of Order.

MR. T. P. O'CONNOR said, he had been unable, in consequence of the noise that prevailed, to hear the ruling of the right hon. Gentleman.

THE CHAIRMAN: The hon. Gentleman will observe that one of the new Rules is, that on the Motion for reporting Progress all hon. Members should address themselves strictly to that point; and I do not think that the hon. Gentleman, in asking for a renewed discussion upon the merits of the Bill, is in Order.

MR. CALLAN hoped the remarks he was about to make would be in Order. Up to the present moment hon. Members had scarcely had time to read, let alone inwardly to digest, these new Rules. ["Order!"] If he was offending against the Rules of Orderit was through inadvertence and not intentionally. He believed that hon. Gentlemen had made an arrangement with the Irish Members to take a division early, in order to facilitate the bringing on of a discussion in regard to the proposed abolition of certain judicial offices. He had himself assented to the arrangement, but only on the understanding that no further attempt would be made to proceed with the Bill at present; and any attempt to go on with it would, he thought, be a breach of faith.

THE CHAIRMAN: The Chair has not been informed of any such arrangement as that referred to by the hon. Member; and even if it were, its discussion does not come within the Motion before the Committee.

Motion *agreed to.*

Committee report Progress; to sit again *To-morrow.*

MR. T. P. O'CONNOR said he would again appeal to the Prime Minister not to proceed with the Committee on the Bill to-morrow. Up to the present they had no discussion on the provisions of the Bill. They had a long discussion on the merits of the case made in support of the Motion to introduce the Bill; but they had no discussion on the general principles which the Bill involved. Several of those principles were of the most important character. Some of the questions raised would refer to the treatment of prisoners, and other matters which were difficult and complex; and upon those questions he and his hon. Friends were now endeavouring to obtain information in order to lay their case before the House. He had a circular in his hand which bore very much on the subject; and he questioned whether that circular should not be sent to the right hon. Gentleman and others in order that the views of the Irish Members might be laid before the House. If they went on at the present rate the principles of the Bill could not be discussed; and he thought in the interests of fair discussion a little more time should be given.

MR. GLADSTONE: Sir, I cannot think that the appeal of the hon. Gentleman is in earnest. We are now in the 26th night I think of debates connected with this subject, and the hon. Member complains that he has not had an opportunity of discussing the provisions of the Bill. If he means the provisions of the Bill in detail, that is precisely what we are going to discuss. If he means the general aspects of the Bill, these we have discussed, I will venture to say, at greater length than the character of any Bill has been discussed in this House in my recollection. I am very sorry, Sir, that I must ask the House not to accede to the appeal of the hon. Member.

MOTION.

SUPREME COURT OF JUDICATURE ACT, 1873—THE ORDER IN COUNCIL —OFFICES OF THE LORD CHIEF JUSTICE OF THE COMMON PLEAS AND LORD CHIEF BARON.

MOTION FOR AN ADDRESS.

MR. H. H. FOWLER, in rising to move—

> "That an humble Address be presented to Her Majesty, praying that so much of the Order in Council, dated the 16th day of December 1880, made in pursuance of section 32 of 'The Judicature Act, 1873,' as relates to the abolition of the offices of Lord Chief Justice of the Common Pleas and Lord Chief Baron of the Exchequer may not come into operation,"

said, he greatly regretted that the subject involved in the Order in Council should be discussed on the Motion he now submitted to the House. If the course the Government proposed to adopt was a beneficial and desirable one, it would only be a partial dealing with the grave condition of affairs, which an imperfect, not to say hostile, administration of the Judicature Acts had entailed upon the suitors and the public. A Bill grappling with the acknowledged evils of our system of Judicature, and providing suitable remedies, would have been a proposal as well meriting the attention of the House as any Bill promised in the Speech from the Throne affecting England; but as the Government had thought otherwise, as they offered as a panacea for the breakdown of the Judicature Acts a symmetrical improvement in the external organization of the Common Law Divisions, accompanied by the abolition of two of the most venerable, most illustrious, and, as he ventured to think, most useful of our Judicial Offices, they were debarred from the consideration of those remedies which would remove the grievances, of which there was such loud, general, and just complaint, and were confined to a consideration of the question whether the alterations embodied in the Order in Council would aggravate or alleviate those grievances. It was necessary, in order that the House might consider the probable operation of the Order in Council on the working of the Judicature Acts, to call attention to the reforms those Acts were intended to accomplish, and to point out how far those reforms had been attained. The Judicature Act of 1873, amended by the Act of 1875, proposed to consolidate the Court of Chancery and the Superior Courts of Common Law into one Supreme Court—administering justice upon the same principles, adopting the same forms of procedure, and applying and enforcing the same remedies—in other words, the abolition of the double system of Judicature, the conflict and confusion of rival jurisdictions, and of that absurd and costly variety of pleadings, evidence, and trials, which disfigured, not to say disgraced, our administration of justice. It further contemplated a speedy, efficient, and economical administration of justice by simplifying pleadings, by continuous sittings of the Courts for the trial of causes, by attempting to obviate the evils of unnecessary and protracted Vacations, and by a re-distribution of judicial time and power. To carry out this great object the Legislature constituted one Supreme Court of Judicature, consisting of two Divisions—the primary one called the High Court of Justice, and the appellate one called the Court of Appeal. The High Court consisted of five Divisions—Chancery, with the Lord Chancellor, the Master of the Rolls, and the Vice Chancellors; the Queen's Bench, with the Lord Chief Justice and the Puisne Judges; the Common Pleas, with the Lord Chief Justice and the Puisne Judges; the Exchequer, with the Lord Chief Baron and his Puisne Judges; and the Probate, Admiralty, and Divorce Courts. The present Order in Council proposed that the three Common Law Divisions should be consolidated into one, to be called the Queen's Bench Division. The constitution of the High Court of Appeal had undergone a variety of changes during the last few years. It began in 1873 with five *ex-officio* and three ordinary Judges. In 1875 three Puisne Judges were added, one being taken from each Court; and in 1876 it was constituted as now, with five *ex-officio* Judges and six ordinary Judges, called Lords Justices of Appeal. The change to be made by the Order in Council would be of a retrograde character, and would affect the strength and efficiency of the Court of Appeal. In all the changes affecting the High Court of Appeal the five *ex-officio* Judges were always retained—namely, the Lord Chancellor, the Master of the Rolls, and the three Chiefs. The advantage of that retention was this—they had in the Court of Appeal four Judges, who also sat as Judges in the Primary Court, trying causes and conducting the ordinary business. Constituted in the manner described, the Supreme Court of Judicature was intended to combine the advantages of the rival systems of law and equity. Each was to absorb the best features of the other. Special pleading was to be abolished, *viva voce* evidence was to be made compulsory, there were to be continuous sittings in London and Westminster, and there was to be a special machinery for dealing with intricate cases not suited for trial by Judge and jury. These proposed changes constituted a wise and statesmanlike reform worthy of the high reputation of the two Lord Chancellors and the respective Law Officers of the Liberal and Conservative Administrations who co-operated in carrying the Acts. But Parliament did not complete its work; it left an unusual and unwise discretion to a majority of Judges and to Orders in Council. Perhaps Parliament saved itself a fortnight of unattractive labour; but the result had been vexation, disappointment, and failure. The machinery, the rules, and the regulations by which the great changes introduced by the Act were to be effected were delegated to men who had been trained in, and who were attached to, the system and the practice which Parliament intended to abolish. Professional experience and success had been gained in the old paths, and age, as well as inclination, dissuaded those representatives of the past from carrying out the reforms which the Legislature had sanctioned, so that the intentions, of Parliament had been thwarted, and the best provisions of the Judicature Act had been maimed or neutralized. Litigation was never so costly; arrears were never so numerous; delays were never so intolerable and unjustifiable; and the whole judicial machinery was never so completely blocked as at this moment. The Profession, the suitors, and the public united in deploring a condition of things which those who were in authority would not remedy—he said advisedly "would not"—and the continuance of which was a grave scandal on the administration of justice. The fusion had completely broken down. In Equity they clung with such characteristic tenacity to their old-fashioned mode of taking written evidence, which meant evidence drawn by one man, sworn to by another, and read by a third, that *viva voce* evidence was the exception and not the rule. Trial by jury had been cleverly and successfully driven out, "bag and baggage," by the Judges of the Chancery Division. In the Courts of Common Law the one reform which was the great advantage of the Equity system as the reform which lay at the basis of all other reforms, and without which all other reforms would be useless—he meant one Judge sitting by himself to dispose completely of the cause before him—had been so minimized, hampered, and restricted as to be of little practical value. The clause which the present Attorney General induced the late Attorney General to accept in 1876, which was intended to make the one-Judge system compulsory, was, unfortunately, made subject to Rules of Court, by which the clause had been nullified to such an extent as to be virtually repealed. Lord Westbury once said of an eminent Judge, who was fond of sitting with his colleagues, that "he was afraid of sitting alone in the dark." He should be very sorry to make such a disrespectful remark concerning the Common Law Judges. But knowing, as he did, that so far as learning, experience, and judicial ability were concerned, they were on perfectly equal terms with the Judges of the Chancery Division, he was at a loss to understand why they should shrink from exercising the sole judicial responsibility at Westminster which was undertaken at Lincoln's Inn. The reform in procedure had not been a success; the advantages of the old system had been lost, and the disadvantages of the new one gained. Special pleading, with all its faults, was at least logical; it did define the issue the Court had to try; but the new pleadings, restrained by no requirement of support by evidence, were vague, verbose, and misleading. Interlocutory applications were multiplied indefinitely, and appeals had enormously increased, and costs preliminary to trial had reached a point hitherto unknown. There was in *The Times* of Wednesday the report of an appeal, in which the claim was £21, and £17 10*s*. had been paid into Court, so that the sum in dispute was £3 10*s*. The greatest grievance of all, and that which he thought this Order in Council would tend to increase, was the delay and confusion in the trial of causes, and in the regular sittings of the Courts. The state of things described by the present Attorney General shortly before the Dissolution still existed. It had never entered into the brain of the able and costly staff of officials attached to the Common Law Division to publish a sittings paper, stating the days on which causes would be tried, Divisional Courts holden, and appeals heard. It was all higgeldy-piggeldy, and a state of confusion which the organizing experience of a railway traffic manager would reduce to regularity in a single week, had been allowed to go on for years, alternately exciting the contempt and arousing the indignation of the suitors, who had to pay heavily for this stupid miscarriage of justice. At the commencement of the present sittings 1,000 cases were waiting for trial in London, and 200 in the Court of Appeal. Last year produced 4,238 causes, of which only 1,983 were tried, and 1,104 were struck out, the rest being postponed. In about 25 per cent of the causes tried in London and the country, the amount at stake was under £50; and the extension of the jurisdiction of the County Courts to this amount, which the hon. Member for Hull (Mr. Norwood) was so anxious to carry, would practically place the services of two Judges at the disposal of suitors in the causes involving higher amounts. The Legislature directed that continuous sittings for the trial of causes should be held in London and Middlesex; but the Judges had practically changed the word "and" into "or," for sittings had never been held in Middlesex simultaneously with those in London, and continuous sittings had been held in neither. The sittings at Guildhall for the trial of commercial cases had practically come to an end. In addition to the want of continuous sittings, the delays had been greatly increased by the inordinate length of modern trials. Judicial days were abbreviated on the principle adopted by Charles Lamb, who, when remonstrated with for coming to the India House late in the morning, said he made up for it by leaving early in the afternoon. Mr. Justice Williams had alluded to the rapid despatch of Judges in bygone times, and said they rushed through the Cause List like an elephant through a rice-field. He could not help thinking that justice delayed and justice deferred was too often justice denied, and suitors would prefer the more rough and rapid mode of trying their causes than the more polished, the more dilatory, and certainly more costly system of the present day. By the enormous and increasing cost of litigation the poor man was heavily handicapped, while the rich man or the powerful Corporation had an unfair advantage. They had been talking of a country where the Queen's Writ did not run; but in England the Queen's Courts might be said in some respects to be closed. The cost of obtaining justice was so enormous, that they might be said to sell justice. What was the remedy which the Government proposed? If the Government had said to the Attorney General that no professional interest or prejudice should interfere with the carrying out of a wise and efficient judicial reform, the same hand that drew the drastic Corrupt Practices Bill would be able to draw an equally successful Judicial Reform Bill. But until the Government applied pressure in this matter, lawyers never would, for they were all members of a great trade union. The remedy now proposed was to abolish two of the sub-Divisions—the Common Pleas and Exchequer Division—and to consolidate the Queen's Bench Division under what Lord Chief Justice Cockburn called the nominal presidency of one Lord Chief Justice. He admitted frankly that there was no necessity for three Divisions, and he thought that the consolidation would be a great improvement. But the practical value of this alteration depended entirely upon whether it was accompanied by a stringent and regular working of the one-Judge system, and by continuous sitting, according to the ordinary use of the word, *de die in diem*, in London and Westminster. To merge three Divisions into one, and to keep up that waste of judicial time and judicial power called a Divisional Court, would be an alteration of the idlest character, and would only afford further facilities for nullifying the effect of the Judicature Acts. The Attorney General had so recently explained his views on this subject, that he did not believe he would be a party to such a fiasco as that. Relying on the conviction he entertained that the Attorney General would do his utmost to increase the regular sittings of the Judges on the single-Judge system, he did not propose to dissent from that part of the Order in Council; but the other part of the change from which he asked the House to dissent was a change recommended by no practical advantage, while it tended to detract from the dignity of the Judicial Bench, and to deprive the public of one of its safest and securest guarantees for an efficient Primary Court and a Court of Appeal. The Order in Council proposed to abolish the Lord Chief Justiceship of the Common Pleas and the Chief Baron of the Exchequer, and to substitute for them two ordinary Puisne Judges. It was not proposed to do away with two useless and unnecessary Judges, and to reduce the number of the Judges—nohing of the kind; they were taking away two Judges of the first rank, and substituting two Judges of the second rank. What did those offices and titles represent? They represented two Judges of the highest rank, chosen from the leaders of the Bar, not only pre-eminent as advocates, but men who had associated with their professional distinction the statesmanlike and legislative experience which attached to Law Officers of the Crown. They represented two Judges of the highest rank presiding over trials of the greatest importance—two Judges strengthening the Court of Appeal, of which they were *ex officio* members, by that tact, experience, knowledge of men and of affairs so essential to the constitution of a strong Appeal Court. Upon what principle of Law Reform were the public to be deprived of the enormous advantage they had derived during a long succession of years from the efficient discharge of the duties of those eminent Judges? It might be said that the Judges themselves had come to the opinion that these Offices should be abolished. But the opinions of the Judges should be weighed as well as numbered. He did not mean to imply the slightest disrespect or reflection; but they were entitled to see how far their official character was involved in the alteration. He did not think that Judges of Courts of Equity had any special knowledge of this question beyond that possessed by any Member of the House. With regard to the Chief Justiceships, great weight would attach to the opinion of Lord Coleridge; but when he spoke in this House on the question he opposed the abolition, and the other two Chiefs were absent. Where were the men who would have represented those Offices? They knew that the late Lord Chief Justice was determinedly opposed to these alterations. The 12 Common Law Judges were 7 to 5 in favour of the Order in Council—no such strong, he would not say consensus, but agreement, as to justify the change. Three Judges had written their opinions for the benefit of the public—Mr. Justice Williams, in a short, terse letter, and Mr. Justice Stephen, in a long, elaborate, and unanswerable article, had opposed the change; and a third Judge had written a letter to *The Times*, signed "B;" but as several of the Judges' names began with that letter, everything depended on the position, experience, and prepossessions of the author. If that letter was written by a Judge who had been an eminent Member of that House, of considerable legislative experience, a Law Law Officer of the Crown, it would be a strong argument in favour of the change. But if the letter was written by a Judge who never had been a Member of that House, or served the Crown as one of its Law Officers; if it was written by one whose eminence rested exclusively upon his profound knowledge of Commercial Law, but who sometimes took the trouble to show that it was possible to be a very wise Judge but not a very wise politician, he did not think that it would carry weight in this matter. The chief feature of that letter was a reflection upon the late Sir Alexander Cockburn. He was not going to criticize the good taste of a Judge, who must have been a Colleague, publicly disparaging the judicial career of that great Magistrate; but he accepted the illustration which that letter gave him. Sir Alexander Cockburn was one of the most brilliant advocates that ever distinguished the English Bar, one of the foremost orators of that House, and for nearly a quarter of a century he dignified and adorned the seat of the Chief Justice of England with all the qualities which the Attorney General had so eloquently described. He was a scholar as well as an advocate—a legislator as well as a lawyer—a statesman as well as a magistrate—and, notwithstanding failings which judicial jealousy might remember, he ventured to express the opinion that Sir Alexander Cockburn would rank among those great Judges whose conduct and career had maintained that high standard of judicial ability which the people of this country greatly cherished. It was because he believed that men like Sir Alexander Cockburn, men who were more than mere *Nisi Prius* lawyers, were essential to the constitution of a strong Court of Appeal, that he protested against a change which was intended, as that letter frankly admitted, if not to exclude, at least to limit, the chance of men of that character ascending the Bench. This was not the first time the House had discussed the point upon which he was speaking. The Secretary of State for the Home Department and the Attorney General had been consistent; they had always advocated this change, and had taken a Vote of the House upon it. They sat below the Gangway then; they were Members of the Government now. People sometimes thought that when men joined the Government they subordinated the minor to the major; but in this case the major had been subordinated to the minor. They had conquered the Government; but that was no reason why they should conquer the House of Commons. There were 12 men sitting on the Treasury Bench who, the last time the question was before the House, voted against the abolition of the Offices of Chief Justice of the Common Pleas and Chief Baron of the Exchequer. The Judge Advocate General (Mr. Osborne Morgan), a strong law reformer, spoke and voted against it. Another strong law reformer, the First Commissioner of Works (Mr. Shaw Lefevre), voted against it. A great commercial man, the Vice President of the Committee of Council on Education (Mr. Mundella), voted against it. And, ascending to the highest grades of the official hierarchy, among those who voted against it were the Chief Secretary for Ireland (Mr. W. E. Forster), the Secretary of State for War (Mr. Childers), the noble Marquess the Secretary of State for India (the Marquess of Hartington), and, above all and beyond all, the Prime Minister himself. Then of Conservative Members who voted against it were that great lawyer and Judge, Lord Justice Amphlett; that incarnation of common sense, Mr. Henley; and that experienced lawyer and statesman, Mr. Spencer Walpole, whose absence that night they all deplored. The Attorney General (Sir John Coleridge) and the Solicitor General (Sir George Jessel) strongly opposed the abolition of these Offices. Sir John Coleridge said that it was of greater importance than people generally supposed that there should be places which should tempt the more eminent men in the Legal Profession to leave the Bar and go to the Bench. And Sir George Jessel said that it was of the utmost importance that the seats on the Bench should be placed in such a position as to attract the very best legal talent. The Lord Chief Justice and the Master of the Rolls, having now attained the fitting rewards of their great abilities, seemed to forget that there might be other Coleridges and Jessels hereafter who might justly aspire to judicial dignities, which it was the interest of the public they should fill. Any alteration which would indispose the most eminent men at the Bar to ascend the Bench was a dangerous one. A Bar stronger than the Bench very soon came to look down upon the Bench. Anyone familiar with the administration of justice would deprecate the creation of a class of advocates who had no desire to become Judges and no sympathy with the Bench. He agreed with Mr. Justice Stephen, that the inevitable effect of abolishing those ancient and dignified Offices would be to deprive the Bench of its most eminent members and lower it in the estimation of the Bar and the public. They would be told that the dignity and position of an ordinary Judge would attract the most eminent men of the Bar. Let them test that by the facts of history. Taking the last 50 years, who had been Chief Barons of the Exchequer? Lord Lyndhurst, Lord Abinger, Sir Frederick Pollock, and Sir Fitzroy Kelly. Who had been Lord Chief Justices of the Common Pleas? Chief Justices Tindal, Truro, Jervis, Cockburn, Erle, Bovill, and Coleridge. With the exception of Sir William Erle, would anyone assert that any of these men would have taken a Puisne Judgeship, or that it would not have been a great public calamity if they had not taken their seats on the Bench? How many Attorney Generals and Solicitor Generals during that period had accepted Puisne Judgeships? Not one Attorney General. And in the case of the Solicitor Generals, the exceptions were so few as to prove the rule. With the sad exception of that distinguished man, Sir William Follett, whose premature death arrested his brilliant career, every eminent advocate at the English Bar had found the reward of his highest ambition in one or other of the greater Judicial Offices which were the most coveted prizes of the Profession. A Lord Justiceship of Appeal, standing on the same level, so far as salary was concerned, and differing slightly in status with the ordinary Judgeships, could not be an equivalent in rank, public estimation, and historic dignity to any of the three great Chiefships. It might be said that, the Courts having been done away with, it was the logical consequence of the change that the Presidents of those Courts should follow them, that titles severed from the duties with which they had been associated should be abolished, and that common sense required it. The foremost Member in that House was the Chancellor of the Exchequer—of that very Exchequer of which the late Sir Fitzroy Kelly was the Chief Baron. Did the title and duties of the right hon. Gentleman correspond? No. They associated the name of the Chancellor of the Exchequer with Budgets, the Income Tax, and the Malt Tax, rather than with any judicial duties. Yet the title was a judicial one; but the judicial duties were gone. Sir Robert Walpole was the last Chancellor of the Exchequer who sat judicially. Take the instance of the title and office of Lord Privy Seal, where not a shadow of duty was attached, and yet Leaders on both sides had defended its retention. Where was the Board of Trade? Where was the Local Government Board—the Presidents of which had seats in the Cabinet? The Boards were gone—the Presidents remained. Take the case of his hon. and learned Friend (the Attorney General). His hon. and learned Friend was neither an attorney nor a general; but he would hardly give up the time-honoured title for some modern one more accurately describing the position and powers of the Office. Take the Cabinet itself. Why did they not propose to level down the Cabinet? Why did they not propose to have uniform titles with no difference in dignity? If they ran through the whole of our public official life, they found obsolete titles and offices whose present duties had no existence when they were created; and, therefore, the proposal to abolish the titles of the heads of the Courts, because of a change in their duties, was not in harmony with English precedent. He might be asked what special duties did those two dignitaries discharge which could not be discharged by two ordinary Judges to be appointed in their place. He answered that they would bridge the gulf which the Order in Council intended to create between the Judges of Appeal and the Judges of the Primary Courts; they would ward off the danger of two grades of Judges—one superior and one inferior. They would preside over those great trials which attracted the principal share of public interest, and which, so far as popular estimate was concerned, were of far greater importance than the duties in the Court of Appeal. They would in London and Middlesex continuously try those great commercial causes which for generations had been tried at Guildhall and Westminster by the Chiefs. They would strengthen the Court of Appeal by adding to the profound legal knowledge of the ordinary Judges the statesmanlike qualities of men who were lawyers and something more. They would maintain the due relationship between Bench and Bar; they would offer to the best men at the Bar the prizes for which alone they would relinquish their lucrative practices; and they would preserve the Bench from a Bar having no sympathy with it—rivalling it, and possibly surpassing it. Lastly, the retention of these two great Offices would preserve that historic continuity of their Judicial Staff, which every advanced reformer must value, and which every Conservative reformer would gratefully cherish. It would be said that this was sentiment; but sentiment played no small part in every department of our national affairs. It was not always wise to disregard or despise sentiment, especially in the administration of justice. He had no doubt that in some new country or Colony justice might be impartially administered and law correctly expounded by some strong-minded Judge divested of all official costume—probably sitting in his shirt-sleeves, with his heels on the table, smoking a cigar or whittling a stick. But would that produce the same effect on the uneducated—nay, on the educated—masses of English society, inspire the same respect for and obedience to the law, as the stately solemnities, the pomp and pageantry, the scarlet and ermine of Her Majesty's Judges, as they went through the length and breadth of the land? Sentiment was an influence and a power with a people proud of a great history, of an ancient Monarchy, and of an old and free Constitution. It was not necessary to go outside the four walls of that Palace for illustrations. The daily ceremonial of that House, the quaint ritual with which the Royal Assent stamped the legislative resolutions of both Houses with the supreme authority of an Act of Parliament—these and a score other of the picturesque peculiarities which characterized our happy union of modern utility with a noble antiquity might be sneered at as sentiment; but they were the symbols, eloquent and enduring, of a national life, whose most glorious privileges had grown with its growth and strengthened with its strength. For six centuries the four Chief Judges of England had borne the titles of Lord High Chancellor, the Lord Chief Justice of England, the Lord Chief Justice of the the Common Pleas, and the Lord Chief Baron of the Exchequer. Those titles, forming a Peerage of their own, worthy to rank side by side with the Peerage of the territorial aristocracy, for 20 generations had taught the people of England that the noblest duty which a citizen could discharge, the highest honour a citizen could attain, was the administration of justice; and when they recalled the long roll of eminent men by whom those posts had been held, they learnt the further lesson that in this country no class, no caste, no prejudice, no favour could bar the path by which men could climb from the humblest walks of life to the highest dignities of the State. They were asked to sweep away two of these high judicial posts at the bidding of a *doctrinaire* utilitarianism, which would sacrifice a substantial and permanent advantage to secure the dreary regularity of its own monotonous level. He asked the House, on behalf of the suitors, whose interest it was that justice should be promptly and efficiently administered; he asked it on behalf of the public, whose interest it was that the most marked ability and highest rank should be in the future, as they had been in the past, the characteristics of the Chief Judicial Offices, not to sanction a change for which no one had asked, which was as useless as it was unnecessary, and which would impair the efficiency and diminish the dignity of Her Majesty's Supreme Court of Judicature.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that so much of the Order in Council, dated the 16th day of December 1880, made in pursuance of section 32 of 'The Judicature Act, 1873,' as relates to the abolition of the offices of Lord Chief Justice of the Common Pleas and Lord Chief Baron of the Exchequer may not come into operation."—(*Mr. Henry H. Fowler.*)

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he should not attempt to answer the whole of the eloquent speech to which the House had just listened. He should reply to only one portion of it, because one part answered the other. The House was not so full when the hon. Member began his address as when he closed it. The first part of his speech commended itself to every Member who sat on that side of the House; but it found no echo from hon. Gentlemen opposite, except from the hon. and learned Member for Bridport (Mr. Warton), who gave his customary cheer. What did the hon. Gentleman say? He said that the result of his great practical experience was that their present system of administration of justice had broken down; that it was impossible either to continue things as they were or to return to the old system; that the existence of Divisional Courts was no longer possible, and that the one-Judge system must prevail. But what was the conclusion of his speech? He wanted the Divisional Courts abolished, but he desired that the Heads of the Divisional Courts should be maintained; and then he used phraseology more worthy of the time of Lord Eldon than of the present day, and, of course, the hon. Gentleman received loud cheers from hon. Gentlemen opposite. He could not help referring to one phrase. The hon. Gentleman said it was necessary, in order to maintain the pomp of the Judicial Bench, that ex-Law Officers of the Crown should sit upon it. He must protest against the statement that ex-Law Officers of the Crown were more pompous than anyone else. He left the hon. and learned Member for Launceston (Sir Hardinge Giffard) to deal with the hon. Gentleman as to that statement. He hoped his hon. Friend would forgive him for saying that his speech was rather discursive. It was a practical question with which they had to deal—with which business men had to deal. In a question of that kind he would rather appeal to business men than to lawyers, who regarded it very much from a sentimental point of view. He asked, how was the administration of law to be maintained with credit to the country? If those alterations in the law which must be in the direction of advance were to be effected, how could the Offices be maintained which were the subject of discussion? Though formerly there were three Courts, they formed but one means for the administration of justice. Indeed, in their origin those three Courts were only one Court; but when the object of that division had entirely ceased, men began to ask themselves why they should continue. An example might suggest itself to the minds of men not lawyers. Suppose one were asked, "Which would you prefer—one estate of 1,500 acres, or three of 500 acres each?" What would be the answer? But if you had an estate of 1,500 acres, you certainly would not cut it up voluntarily into three, or make hindrances to a man passing from one part to another. The old system, with three divided Courts, and suitors waiting in vain in one Court when in another there were Judges having nothing to do, was a great waste of judicial power. Hence had arisen the necessity of bringing three Courts of five Judges each into one Court of 15 Judges. Those were the feelings which showed themselves in the Judicature Act of 1873. The hon. Member for East Sussex (Mr. Gregory) had spoken against the Divisional Court system, and insisted on the necessity of amalgamating all the three Divisions. It was no secret why that process had not been fully carried out. He, of all men, was least likely to speak in terms other than those of the highest respect of the late Lord Chief Justice. But it was well known that that great Judge was hostile to the system established by the Judicature Acts. He wished to maintain the old system in its integrity. He had declared himself hostile to any alteration in the ancient system. The Lord Chief Justice's opinion was a great power, and most deservedly so, on that question. There was a great body of opinion at first on the part of the Judges, to which concessions had been made. It was only right to do so, in order to obtain their concurrence in working out the changes which had been made by the Legislature. But it was in the first instance admitted that the maintenance of the old system was only to be temporary. His hon. Friend must recollect that the Prime Minister had said, in 1873, that the Offices which it was now proposed to abolish were not to exist for all time. At the time of the Act of 1873 it was distinctly placed upon record that both the Divisional Courts and those who sat at their head must some time come to an end. In the 32nd section of that Act it was enacted that if the Council of Judges should recommend that those Offices should be abolished, they should pass away. In fact, the maintenance of those Offices was only tentative until a convenient opportunity should arrive for their abolition, and the Council of Judges should come to the conclusion that they should be done away with, and the Legislature should express its opinion that that change should be carried into effect. In fact, a compromise had been come to. Thus, step by step, consistent advance had been made. In 1876, when a Conservative Government was in Office, another blow was aimed at the existence of Divisional Courts. The Act of 1876 enabled the business of the Court to be carried on before one Judge, who should exercise the jurisdiction formerly exercised by two or more Judges. Then, in 1879, by a Statute passed for the convenience of the public and for economy's sake, all distinction between the Divisional Courts and their respective Offices was done away. In 1879 one Office only was constituted for the issue of Writs. Now, also, there was only one list of actions to be tried. They had now the abolition of all distinction between the Offices and of the old names for the Judges; so that if anyone was appointed to the Court of Exchequer, he sat as Justice and not as Baron. There was, therefore, nothing left but the remnant of the distinction which was only maintained for sentimental reasons. His hon. Friend admitted that he wished the Divisional Courts to go; he had acknowledged that they prevented the full administration of justice; that they caused delays, and almost an impossibility of getting to trial; and yet he eloquently pleaded for the retention of the Headships of those Divisions. He had asked that there should be one Judge in the place of a Divisional Court, and had pointed out how absurd it was that they could not, in the Common Law Courts, obtain that sense of responsibility which every Vice Chancellor in the Equity Courts was always ready to bear. Had the hon. Member never heard of two Judges determining a question in which a sum of £3 10*s.* was involved? He might mention that the late Lord Chief Justice carried his views so far as to insist upon having two Judges to sit with him. Thus, day after day, three Judges used to sit to hear cases which Vice Chancellors would not hear, but delegated to their chief clerks. Granting that each Judge should have the courage of his opinions in judicial matters, how could they support the maintenance of the two Chief Justices in question? His hon. Friend said that they were to be maintained to regulate their Courts. [Mr. H. H. FOWLER said, he did not say that.] He (the Attorney General) would assume that he was in error, and would ask what these Heads of Divisional Courts were to do? The Senior Judges had never had any more power than the Puisne Judges; as Baron Parke once reminded Lord Abinger, then Chief Baron, when he said that he was only *primus inter pares*. In fact, the House was asked to maintain the Crown when there were no subjects. In deference to the memory of the past, they were asked to interfere with the administration of justice in the present. Some might say that this was a matter with regard to which great weight ought to be given to opinion emanating from legal sources. He differed from this view, thinking that hon. Members ought to judge the question for themselves. The administration of justice was a practical matter; but practical men were too apt to leave to lawyers such matters as the one under discussion. His hon. Friend had appealed in support of his case to the weight of judicial authority. He would assume that the Judges were perfectly independent in this matter. At any rate, the course which they had taken could not have been dictated by any selfish view. Well, when the Judges divided upon the Question now before the House, 20 voted for the abolition of the Offices of Lord Chief Justice of the Common Pleas and Chief Baron of the Exchequer, and only five against it, and every one of those five also voted for the maintenance of Divisional Courts. The hon. Member disagreed with them on this point, though he joined them in wishing for the preservation of two Offices which must become useless if Divisional Courts were done away with. Among those by whom this subject had been considered was the body represented by the Incorporated Law Society of this country; and the Council of that Institution, consisting of men who had long experience in their Profession, had petitioned the House, through his hon. Friend (Mr. Gregory), to effect the contemplated change. Were these interested persons? Were they not likely to be conservative enough to be governed by sentiment in this matter? Yet they had been compelled, by the practical interests of the position in which they were placed, to petition the House in favour of the change. This step was the result of the unanimously expressed opinion of the members of the Council representing the attorneys of this country, and the men who had published that opinion were the best who could be consulted in this matter. There was one body remaining whose views demanded attention—namely, the Bar of England. That body had given utterance to their views, and he had himself presented a Petition from the Members of the Bar praying that the abolition of these Offices should not take place. But he wished to say a word on the subject of that Petition. It proceeded from a large meeting of the Bar, an open meeting, but one which was promoted by those who wished to oppose the abolition of the Offices under discussion. He asserted that it was well known that the meeting was convened for the purpose of protesting against the proposed abolition. Well, what took place at that meeting? It was numerously enough attended; but, with all deference to those of his learned friends who took a leading part in the discussion, the active life of the Bar was not conspicuously represented at it. As to the votes given on that occasion, he was certain that out of every 10 persons present five did not vote at all, and he believed that not more than three out of those five voted against the abolition. He did not think that such an expression of opinion from a body of men essentially conservative in everything connected with their Profession was of sufficient weight to cause the House to accept their judgment as conclusive in this matter. He, for one, protested against the view that the interests of the Bar were to interfere with the interests of the public. The interests of that Profession and the interests of the public were really identical; and it was a foolish idea to suppose that any good could result to the Bar if, in order to maintain what were called the prizes of the Profession, justice were, even for one hour, denied to any member of the community. They would be forfeiting the interests of the future by looking merely at the bare considerations of the present. If, however, he had to consider the subject of the prizes open to the Profession, he must point out that of late years those prizes had been greatly multiplied, and that, therefore, it might be said that the Bar had received full consideration in advance for the abolition of these Offices. Within the memory of man there had been 12 Judges; that number was increased to 15, and at length to 18. Three Vice Chancellorships had also been created; and instead of two Lord Justiceships there were now six, holding positions which any man at the Bar might be proud to occupy. Then four paid Officers were appointed to sit on the Judicial Committee of the Privy Council; and two Lords of Appeal had been added to the House of Lords, who took their rank with other Peers. Surely these were prizes which were of considerable value, and which amply compensated the Profession for the abolition of the two posts in question? It had been urged that it was necessary in the interests of the public that these two Offices should be preserved, so that Judges of high position should preside over the Civil and the Criminal Courts. But the Judges who were brought the most in contact with the public on Circuit and in the Central Criminal Court were not all Chief Justices, and the argument, if worth anything, would go the extent that they should have, not two, but 18 Chief Justices. But it was not to the House only that the power had been given to reject this proposal to abolish these Offices. That same power had been conferred upon another House far more conservative in its views than that House was, and numbering among its Members men of great experience in the legal world, such as Lord Blackburn, Lord Penzance, and, perhaps, one of the greatest Judges that had ever sat on the Judicial Bench, Lord Cairns. Had Lord Cairns chosen to oppose this proposal, and called upon the Conservative majority of the other House to support him, the proposal would have been easily rejected. A voice had been raised "elsewhere" that evening in opposition to the proposal; but where was Lord Cairns?—he was not present to oppose it. ["Order!"] He was breaking through no Rule, for he was referring, not to what had, but to what had not occurred in the other House. They had heard no word from the late Lord Chancellor, nor from any of the Conservative Peers against this proposal; and why, therefore, should this appeal be made to that House, in which were men who most know the wants of the public? The hon. Member had referred to the miserable utility of the present time. If that were a convertible term with Law Reform, he must give the hon. Member the benefit of it. He was not now uttering the opinions he had formed in the course of official life, but those which he had held eight years ago, when he was sitting below the Gangway, and had contended that more utility should be extracted from the Judicial Bench to the greater advantage of the public. He warned the House not to be led away by the eloquent peroration of his hon. Friend, because they would not be doing their duty in the interest of the public, who had for so long had justice denied them, unless they gave the greatest weight to the opinion of the Judges in Council and carried that opinion into effect.

Sir HARDINGE GIFFARD entirely agreed with what the Attorney General had said—namely, that the interest which had to be consulted in this matter was that of the public. That was a sentiment the utterance of which was tolerably certain to elicit cheers; and the Attorney General must have been perfectly well aware that nobody who was speaking in favour of the Motion would have contended for a moment that the interests of the Bar were comparable with those of the public. The question, however, was whether the proposed changes would really be for the interest of the public, and whether they would not weaken the dignity, the authority, and the attractiveness of the Judicial Bench. It was idle to assume that the changes would be in the interest of the public, and then to argue in opposition to their being carried into effect. What were the changes which were effected in 1873, and what were those which it was now proposed to effect? He was glad that the evils of the new system had been admitted; but they were certainly not traceable to the fact that there were three Chiefs of Divisions. Under the old system there were not three Divisions, but three Courts, the Judges of which were independent of each other; and a man frequently found that, under the then existing system of a separation of Law and Equity, he had come to the wrong Court. The distinction between Law and Equity, in one sense, was an intolerable nuisance, which the Judicature Act most justly abolished. As one of the Judges remarked, a man was kicked out of the Palace of Justice because he got in at the wrong door. But it produced evils of another kind. The Common Law Division was but weakly represented in "another place" when the Judicature Act was passed, and, naturally enough, the Chancery system, with its multiplicity of appeals, prevailed. Under the old system, on the Common Law, once they had a question of fact decided, it was extremely difficult to get it tried again unless the Judge was dissatisfied with the case. Now, every trifling matter from Chambers, every trial of fact went, as a matter of course, to the Divisional Court, and then to the Court of Appeal. The result was, that there was no finality in the administration of justice; and he had been informed by one of the most experienced "Masters" that the amount of costs since the passing of the Judicature Act had increased by 20 or 30 per cent. The multiplicity of appeals, moreover, tended to glut the Courts with business, and the evil was increased by the ludicrous arrangement under which the Judges at the beginning of term, on the 11th of January, were scattered over the country on Circuit—a contingency which was certainly never contemplated by his right hon. Friend (Sir R. Assheton Cross) when the Winter Circuit was established. Now, that condition of things had nothing whatever to do with the question of the retention or non-retention of the Offices of the Lord Chief Justice of the Common Pleas and the Lord Chief Baron of the Exchequer. That being so, was it quite fair of the Attorney General to continually speak of the "present system," as if the evils he had mentioned were in any way connected with the Offices under consideration? The question for practical men was how the 15 Judges were to be distributed; and he had heard nothing to prove that the best management was not the "three fives," each presided over by its proper Chief. He could not help thinking that there was great practical advantage in having Courts familiar with the administration of particular branches of the Law—such as the Exchequer Division, the Common Pleas, and the Court of Queen's Bench. What, then, was the mischief which the Chiefs in question inflicted on the administration of justice? He entirely dissented from what the Attorney General said concerning the preservation of these Offices at the time of the passing of the Act of 1873. Lord Cairns and the then Lord Chancellor spoke of the Divisional Courts and their Chiefs as the most convenient and appropriate form into which the business could be divided. When it was suggested that the preservation of the Chiefships was owing to an entirely provisional arrangement, they ought to look at the public utterances of those who were in official charge of the Bill. Both the present Master of the Rolls and the present Lord Chief Justice of England expressed themselves in favour of retaining the Chiefs of the Courts. The section of the Statute was plainly against the contention of the Attorney General. It was provided that the Council of the Judges was to meet every year; and if hon. Members would look at the section of the Statute they would find that the Legislature intended that the Council should make a recommendation when it was assembled in the ordinary course. The Council was not to wait until both these great Offices were vacant. Considering the arguments by which the present proposal was supported, it seemed as if Parliament was to be induced to take a particular course with an object not revealed on the surface of the Statute. The language of the Statute to which his hon. and learned Friend the Attorney General referred was against him. All that was properly derivable from the language of the Statute was that it was considered that the Judges themselves would be the best persons to make recommendations which Her Majesty in Council might carry into effect. He regarded with considerable apprehension the notion that influence was to be exercised by the Lord Chancellor making a proposition to the Judges which they must either accept or reject. It was no secret that at that moment a non-official Committee was sitting with reference to the proposal. He fancied that it was intended to be of one colour, and practically unanimous; but who appointed that Committee? He was told that the hon. Member for Hereford was a member of it, and, no doubt, his assistance was valuable; but the fact was that some new system was being devised which would be introduced for the acceptance of the House. That being the case, with a new system cut and dried behind the backs of the public and the House, and with an Order laid on the Table, the House would not be permitted to exercise its judgment on the matter. Everyone knew what that meant. It was one thing to dissent from a new proposal, and another to reverse an accomplished fact. For that reason it seemed to him very undesirable that the change should be made without protest, and without knowing how far the House was expected to go. As to the argument of the Attorney General that because there were now no Barons of the Exchequer there was no necessity for a Chief Baron, such a contention from other lips would have been childish, and it might just as well be maintained that there was no necessity for the maintenance of the Lord Chancellor because the latticework beyond which he used to sit had been abolished. There was a clear working majority of the Common Law Judges against the change; but the question had never been fairly discussed by them, and they had been overwhelmed by the Chancery Judges. The Common Law Judges had, in fact, never been properly consulted as to the matter, and would have been against the change if their full complement had been present; but it was so arranged that, with the opinion of a diminished Judicial Body, the subject came before the House. He could only say, by way of protest, that he believed the change would be decidedly contrary to the interests of the public. The Attorney General had said that he would not rely on the opinion of the Bar, but upon that of the solicitors. He should have thought more of his hon. and learned Friend's candour if he had stated that the Bar had decided against him, while the solicitors were in his favour. There was no body of men like the Judges, who surrendered so much in taking a judicial position. It was all very well to talk of their salaries; but, probably, no Judge ever reached the Bench without surrendering a larger income than that drawn from the public. The Prime Minister appeared to deny that statement, and he did not know what means of information the right hon. Gentleman might have had; but men in the active practice of their Profession knew the fact, and he challenged—not the Prime Minister—but those who were acquainted with the subject, to produce an instance to the contrary. At any rate, the point was, to use the fashionable phrase, a factor in the problem. He begged the House to remember that factor, and, mindful of the importance of retaining, he would not say prizes, but attractions, to the best men, not to lower the dignity and the emoluments of the Judicial Bench. Did anyone suppose that the Master of the Rolls, or the present Lord Chief Justice of England, would have accepted Judicial Offices except for the attractions they offered? And who, in such a case, would become a Puisne Judge? Those were two illustrations of his argument that came ready to hand. In short, it could not be suggested that men in the front rank at the Bar would be attracted to the Bench, when half its dignity and its emoluments had been destroyed. He would heartily vote in favour of the Motion.

Mr. MARRIOTT said, the Attorney General (Sir Henry James) had protested with considerable warmth against the interests of the Bar being set up against the interests of the general public. He thought it would have been more becoming if the hon. and learned Gentleman had waited until such a charge had been made. He (Mr. Marriott) was not aware that a single Member of the House had referred to the subject, and he hoped the House would agree with him that they all had the same regard for the public interests as the Attorney General himself. It would be a matter of great congratulation if the public generally would take more interest in these legal discussions. At present, when any legal discussion was being carried on, the public seemed to have a child-like faith in the law reformers, and especially in the Lord Chancellors. The whole of the consideration and discussion of law reforms was left to the lawyers and to the Lord Chancellors. In regard to the Motion now before the House, the reason why he objected to the abolition of these two high Offices was simply this—that it was a step in the wrong direction. It was another step in the direction they had now been travelling for some seven or eight years, by which the power of the Lord Chancellor had been increased and the dignity of the Bench had been lowered. This was no idle saying; but he would attempt to prove it. It would be agreed that up to the time of the Judicature Reform Act of 1873 there did not exist a Bench of Judges in the whole of Europe—he might even go further, and say in the whole of the world, either in ancient or in modern times—which commanded more general respect than the English Bench of Judges. Every writer—either in France, Germany, or America—who had come over to this country, and studied its institutions, although he might find some things to which he would object, the one thing that received universal approval had always been the manner in which justice was administered in this country. The impartiality, the courtesy, and the firmness of the Bench, had always been a subject of praise by foreign observers. Many had tried to trace and find out what were the reasons why the Bench of this country was so distinguished and so respected, as compared with the Judicial Bench in foreign countries. He believed the reason to be this. In most foreign countries dependence was had upon a class of persons who were trained up for the exercise of these judicial functions as a portion of the Executive Government of the country; whereas, in this country, the Bench and the Bar had always been closely connected. The Bar had always been the feeding-ground for the Bench, and when a man was raised from the Bar to the Bench it was not customary for him to assume the airs which a similar class had assumed in a foreign country; but there had always been the best of feeling between the Bench and the Bar. Then, again, the Bench had always been in such a condition that it had had the pick of the Bar, and if it was asked why it had always had the pick of the Bar, he thought the reason was plain. The pay was good; the position was dignified; and a Judge, when once appointed, had nothing to fear; and, what was of the same importance, he had nothing to hope for. Once a Judge, meant always a Judge. They talked of Puisne Judges—and the word "puisne" was supposed to mean something inferior; but a Puisne Judge, sitting with his Chief, was in no inferior position at all. The Chief was, of course, *primus* in his own Court, but the Puisne Judge occupied the same position, and had precisely the same powers of administering justice. The Chief simply had precedence in his own Court. It often came round to the turn of the Puisne Judge to go Circuit as one of the seniors, and he had then the patronage of a Chief Justice himself. All these little incidents added to the dignity of the Puisne Judge, and he had no hope of promotion. All of this had been changed by the Judicature Acts of 1873 and 1875, and by the Appellate Jurisdiction Act of 1870. From the moment a Judge got upon the Bench he had the thought forced upon him—"What will be my next step in promotion?" The Judicature Act had created two classes of Judges, one of which was called the Common Law Puisne Judges, and the other the Judges of the Court of Appeal; and, strange to say, although the Puisne Judges performed the most important functions, the Judges of Appeal were the Superior Court. As a matter of fact, it was the Puisne Judges who had to appear constantly before the public to adjudicate upon great causes. The great criminal and commercial causes were those which interested the public of this country, and it required Judges of no mean order to preside over these great trials. To make a man a good Puisne Judge it was not only necessary that he should be a good lawyer, but it was also necessary that he should be a man of the world—a man of tact, a man who was able to deal with facts, and who could deal with the counsel before him and the 12 men in the jury-box. No doubt, the duties a Puisne Judge was required to discharge required the possession of far more diverse qualities and talents than those required from a Judge who had merely to sit in an Appellant Court to consider and determine points of law that were generally of very little interest to the public at large. As he had said, there were now two distinct classes of Judges, and the real evil was this—that whereas the Lord Chancellor possessed great power before, he would have much greater power now, because upon the Lord Chancellor would depend the promotion of the whole of the Judges. The Puisne Judge could now be promoted to be a Judge of Appeal, and the Judge of Appeal could be promoted to be a Lord of Appeal, and sent to the House of Lords. He desired to cast no imputation upon the present occupants of the Bench; but Judges were only human beings, and if they were placed in a position in which they might expect promotion they would have a temptation to which he thought they ought not to have been exposed in this manner. No such temptation was placed in their way under the old system, and it was a great pity that they should be subjected to it now. The Office of Lord Chief Justice of the Court of Queen's Bench, the Office of Lord Chief Justice of the Court of Common Pleas, and the Office of Lord Chief Baron of the Court of Exchequer, were the great powers between the Chancellor and the Puisne Judges. They stood as a sort of breakwater—and, no doubt, in recent reforms the late Lord Chief Justice Cockburn did try to reduce the evils of some of the reforms proposed by the Lord Chancellors. Who was most likely to understand the working of the Common Law Courts—the two Lord Chancellors, who had never been in a Common Law Court in their lives, had never tried a jury case, and had never gone Circuit at an Assize, or the Puisne Judges? Were they likely to know more about the jurisdiction of the Common Law Courts than the late Lord Chief Justice Cockburn, who had passed the whole of his life in trying jury cases, with the greatest success and to the satisfaction of the whole nation? It stood to reason that the Judge who had had most experience of the Common Law Courts would best understand what was required for their reform. Yet the two Lord Chancellors, who were only accustomed to the Chancery Courts, brought in these great reforms, which affected so vitally trial by jury. He recollected when the suggestion was first made that the Common Law Judges should try Election Petitions. The one person who protested strongly against such an arrangement was the late Lord Chief Justice Cockburn; and the reasons which he laid down for his objection were very good. He said—what had almost come to pass now—that the Judges engaged to try these Election Petitions would lose part of their dignity, that they would be associated more or less with Party politics, and the people would not think so well of them. He did not know what the experience of the House was now; but very recently, when Election Petitions were going to be tried, he had heard Members who were interested in them say—"Who is the Judge to try them? Is he a Liberal appointment? If he is a Conservative appointment he will be sure to go against us." He thought the Judges ought to be above such a suspicion. He knew that it was unjust to them; but he thought they ought not to be placed in a position which rendered them liable to it. The step now contemplated, by abolishing the Offices of Lord Chief Baron and Lord Chief Justice of the Court of Common Pleas, would certainly place more power in the hands of the Lord Chancellor, and for that reason he regarded it as an objectionable proceeding. With regard to the Bar, he agreed with the hon. Member for Wolverhampton (Mr. H. H. Fowler), who moved the Resolution now before the House, that the only two consistent people were the present Attorney General and the Home Secretary, because they had always voted for the abolition of these two Offices. They would all agree with him that among the most clever members of the Bar was the late Solicitor General of the Premier's last Government, the present Home Secretary (Sir William Harcourt). The right hon. and learned Gentleman was, if he mistook not, the first person who had thrown up his Profession at the Bar and become a Cabinet Minister. There might be others who were similarly ambitious—no doubt, in the prophetic mind of the right hon. and learned Gentleman, he foresaw what was going to happen while he was at the Bar—but there might be others, now that what had been called the prizes of the Profession were to be abolished, who would in future look, not to what had been considered the professional prizes of the Bar, but to other rewards in connection with the Government of the day. They would be of opinion that it would be better to become a Cabinet Minister than to be a Judge, now that they could not reach the position of Lord Chief Baron or Lord Chief Justice—that it would be better to occupy a position where they called magistrates over the coals, and even sometimes reversed the decision of a Judge. That might be the new ambition; but it was going away from the old traditions of the Bar, and he thought that evil would follow when they got rid of those traditions. He should prefer to see the Bar kept within its own line. If they were successful they were rewarded, and the rewards they received were fully appreciated by the public generally. He was sorry to see the old customs broken through by right hon. and learned Gentlemen who sat on the Bench below; and for these reasons, and because he thought the abolition of these two Offices would only increase the power of the Lord Chancellor and decrease that of the Bench, he should vote in favour of the Resolution moved by the hon. Member for Wolverhampton.

Mr. GREGORY would only, at that hour, say a very few words, and he would not have risen at all if it were not for the fact that allusion had been made to the part he had taken in connection with the provisions of the Act and the Order in Council. As had been stated, he had had the pleasure of cooperating with his hon. and learned Friend the Attorney General and another hon. Member of that House in attempting to carry out what they considered to be the scope of the Judicature Act, by including, in one great Division, the whole of the Common Law jurisdiction. He had also had the satisfaction of supporting a Motion to this effect in the Law Institution. No doubt, there was at that time considerable difficulty in getting the Act into operation, because, as the holders of the Offices were in existence, provision could only be made for the future; but he had always considered it desirable that some alteration should be made in the direction which had now been taken. A good deal had been said as to the failure of the Judicature Act, and of the evils which it had introduced. He had seconded a Motion made by the Attorney General in the last Parliament, which had for its object the remedying of those evils, as far as they could do so in that House. He admitted that there had been delay in the administration of justice; but he did not altogether admit that the Judicature Act had been such a failure as was alleged. On the contrary, he believed that many of its provisions had proved highly beneficial to the public. Many of the complaints which had been made in regard to the administration of justice, had reference to matters which were beyond the operation of the Act. For instance, they had thrown more duties upon the Judges than was formerly the case by additional Circuits. And not only had they increased the labours of the Judges, but they had taken them out of the Courts just at the time their presence there was necessary for the due administration of justice. Although these were well-founded causes of complaint, they were not due to the operation of the Judicature Act; nor, in his opinion, did they bear upon the subject under discussion. The present question was not whether they were to diminish the existing number of the Judges, because they would have to appoint new Judges whether these particular Offices were continued or not, and, consequently, there would be no diminution in the number of Judges upon the Bench. The only question was whether they were to continue what he might call nominal Offices. That was really what the question came to, stripped of all extraneous matter. They had already gone to this extent; they had consolidated all the lower branches in the Courts; they had consolidated all the proceedings in the Courts; they had consolidated the Masters, the servants, and the Officers of the Courts. Every Judge they appointed was a Judge of the High Court of Justice, and not the Judge of a Division. Practically speaking, all difference had ceased to exist, and yet they were now asked to continue the Heads of Departments which had no real existence. For what reason should they do this? All the ground he had heard assigned was that, by discontinuing these Offices, they weakened the Court of Appeal, and by continuing these particular Offices they might get a better class of gentlemen to undertake the judicial functions of the country. As regarded the Courts of Appeal, he ventured to think that without these high Officers—the Lord Chief Baron and the Lord Chief Justice of the Court of Common Pleas—the Court of Appeal was sufficiently strong as it stood, and that there was no cause to complain of the operation or working of it. There were six Judges in the Court of Appeal, with the Master of the Rolls, the Lord Chief Justice, and the Lord Chancellor to assist if necessary. During the last 10 years the Lord Chief Baron and the Lord Chief Justice of the Common Pleas had sat but very seldom in the Court of Appeal. They had only sat in one or two cases, and had consequently not given to the Court any individual strength. Then, as regarded the effect of the arrangement upon the Bar and the opening it gave to men at the Bar, he was by no means prepared to say that the most successful advocate always made the best Judge. He had known, within his own experience, instances which tended to prove the contrary of that proposition. A forensic mind was not always a judicial mind, and, with great respect to the hon. and learned Gentlemen who had performed the functions of Lord Chief Justice and Lord Chief Baron during the last 10 years, he had no hesitation in saying that there many of the Puisne Judges who would have discharged the duties equally well. Indeed, he should have preferred, personally, to try a case before many of the Puisne Judges rather than some of the hon. and learned Gentlemen who, in a series of years, had filled the higher Offices in question. He could mention the names of Puisne Judges, not only within the last 10 years, but extending over the last 20, 30, and 40 years, who were equal to any men who ever filled the superior Offices. It seemed to be supposed that the public would altogether lose the services of the higher class of the Bar if they abolished these Offices. He ventured to think that they would not; they would still have the appointments of Judges of Appeal as professional prizes, together with the Office of Lord Chief Justice, the Office of Master of the Rolls, and the Office of Lord Chancellor. Surely, these were prizes sufficient to attract the highest intellect of the Bar. It was said, on the other hand, that they ought not to hold out the hope of promotion to the Judges. He certainly thought that was an argument which could have no weight in the present day. There was no Judge who would condescend to do anything unbecoming his position or his country for the sake of obtaining a higher position; but, at the same time, he did think that the holding out of a prospect of promotion was of advantage rather than otherwise to the Judicial Bench. For these reasons, he was of opinion that it was desirable to give effect to the Order in Council and, in so doing, to carry out the spirit and intention of the Judicature Act. With respect to the opinion of those with whom he was professionally connected he might confirm the statement which had been made by his hon. and learned Friend the Attorney General, He had had much pleasure in presenting a Petition in their behalf in favour of this Order in Council, and praying the House to adopt it. That Petition was unanimously agreed to by the Law Institute of which he was a member. The question was specially brought before the Council of the Institute after due notice had been given, and it was fully considered and discussed. As the Council were elected in order to watch over the interests of several thousands of persons, they might be taken to be a representative body upon questions of this kind. They regarded it not in the slightest degree as a Party question, but as a question affecting the administration of justice, and in that light they had considered it.

Sir R. ASSHETON CROSS desired to say a very few words upon the question, and would promise that, at that hour of the night, they should be very few. He wished to speak in the first place as an earnest law reformer, not in any Conservative sense, but as one who heartily and sincerely desired to see the present system of law thoroughly reformed. But he wished also to speak altogether unconnected with the Profession to which he had the honour to belong. He felt strongly on the point raised by the Resolution, and he would very shortly state to the House the reasons which had induced him, after very careful consideration, to come to the conclusion he had been forced to arrive at in the matter. He quite agreed that in matters of this kind they were not for a moment to take the Judges themselves as having any vested rights or interests that ought to interfere with the public welfare in a matter of this kind. He would say exactly the same of the Bar, that they had no vested interests in any of the appointments, and that it was not necessary, so far as the public interests were concerned, that their future prospects should be made a question of consideration. When he came to the meeting of the Bar to which his hon. and learned Friend the Attorney General alluded just now, he was quite sure that if the members of the Chancery Bar had been excluded because they did not know anything of the Common Law Bar in regard to the intricacies of the procedure in the Common Law Courts——

THE ATTORNEY GENERAL (Sir HENRY JAMES) was understood to say that there were no members of the Chancery Bar present at the meeting in question.

SIR R. ASSHETON CROSS differed from the Attorney General. He had been told that a large number of Chancery barristers were present, and that they took part in the proceedings. He believed he was right in making that assertion. He was sorry to feel compelled also to differ from his hon. and learned Friend the Member for East Sussex (Mr. Gregory). His hon. and learned Friend told the House that he had presented a Petition to the House on behalf of the attornies in favour of the Order in Council. The hon. and learned Gentleman explained the reason why the Petition was adopted; and if it was the reason on which the attornies determined to support the Order in Council, no doubt, any body of men simply acting upon the premises suggested by his hon. and learned Friend, must have come to the same conclusion. How was it that his hon. and learned Friend explained the Petition: He said that it was necessary that all the traditions of the Courts of Justice should be thrown over, in order to do away with the difficulty of arranging the business; and, therefore, he added, the question was whether the purely nominal Offices should be continued or not. If that was the question put before the Council of the Law Institute, he did not see how they could come to any other conclusion than they did. If these were purely nominal Offices, and there was nothing more to justify their being kept up, they ought to be abolished at once. That reason might explain the position taken up by the Council of the Law Institution; but, at the same time, it rendered the Petition presented by them absolutely valueless for all purposes connected with the present vote. It was satisfactory to know that the Resolution was brought forward by an hon. and learned Member of the Profession, who would not have brought it forward if he did not think he was acting in the interests of the Profession at large. His impression was, that the working of the Judicature Act, if the views advocated by the Attorney General on this particular question were carried into effect, would considerably lower the position of the Common Law Judges. He did not say that the Judges did not occupy the same position in the public estimation that they had occupied hitherto, but that it would be found that the men who accepted those appointments were not of the same status as had, up to the present time, been appointed. This was not a case in which the supply was always equal to the demand. It was necessary, in order to secure the thorough confidence of the public and the Bench, that it should be filled by the best men of the Profession that could be found to fill it. Everyone knew that it was much easier in the time of the 12 Judges to find the best men to fill the station of Common Law Judge, than it was when they numbered 18. The more the number was increased the greater was the difficulty in getting them. Let it be considered whether the step about to be taken was likely to diminish the difficulty. At the present time Her Majesty's Government had not simply to pick out 18 men, but also to fill the appointments for six Judges in the Court of Appeal, superior in rank, dignity, and in the character of the work which they had to perform to the Common Law Judges. As this went on the result would be that the best men of the Profession would not take the Office of Common Law Judge; they would wait to see whether their chance would not be better by being made a Judge of the Court of Appeal. He would not say whether the Judges gave up their emoluments, or whether or not they sacrificed them; but he believed, in the vast majority of cases, that the Common Law Judges did sacrifice income when they accepted the Judicial Office. Under the old system the 12 Judges did everything; they formed the Court of Appeal, and were the only Judges to whom the public had to look. But a new order of Judges had now been created, and, that being so, in the interests of the public, the best Judges that could be obtained ought to be appointed; and associated with these Judges, who had, probably, been brought up to practice only, there should be some men who had seen more of the habits and business of the world.

He believed it was of immense advantage to the Common Law Courts that their Chiefs should be men who had been in Parliament, who had filled the Offices of Solicitor and Attorney General, who knew exactly what was the course of Business in that House, and who knew, besides, more generally than lawyers usually did, what was going on in the world. But one result of this measure would be that all those men would disappear, except the Lord Chief Justice of England. His hon. and learned Friend the Attorney General would not deny that it was of importance that these Judges should be appointed at once, because there was so much business in the Courts that every day the appointments were delayed was so much loss to the country. This Order had now been before the House some 20 or 30 days. Her Majesty's Government had had this Order in their mind for the abolition of these Offices, and knew that they would have to hear what the House of Commons would say upon the subject. The reason why the appointments had not been made at once was that Her Majesty's Government knew, if these Offices were retained, they must appoint A and B, men who had been in that House, and who had experience of public affairs quite irrespective of their Profession, and who had not accepted the position because they knew that, after this Order came into force, they would be sunk to the level of the Puisne Judges. When the present Order came into force, not A and B, but Y and Z, would be appointed; and the loss would not be to the Profession, but to the suitors. Again, he believed it would be one of the worst things if the Judges of the Court of Appeal did not associate themselves on Circuit with the business of the other Courts. The Divisional Courts had been so much thrown into the shade, that the suitors were making more appeals to the Supreme Court than before. In 1876 there were 111 appeals; in 1877, 216; and during the last two years there had been, for each year, from 240 to 250. The sittings of the Divisional Courts were, therefore, becoming less and less important. Suitors would go to the Court of Appeal; and the consequence would be that the number of appeals would be so great that the Judges would not be able to get through them, and three more Judges would have to be appointed to the Appeal Courts. There would then be nine Superior Judges; and the inevitable result would be, as he had before pointed out, that the best men at the Bar would not sit on the Common Law Bench. He suggested that it would be a great advantage to the public if, at all events, the Lord Chief Justice of England should have two other Judges to assist him as the Chief Justice of the Common Pleas, and the Chief Baron to assist him as Vice President. No one had a higher respect than himself for the Lord Chief Justice; but he objected that all the patronage of the three Judgeships should, in future, be vested in him. He held there could not be the slightest reason for that being done. The respective Chiefs were absolutely irresponsible for the patronage of which they disposed, and there would be the same absence of responsibility if it were vested in one of them only. It would, he believed, be better for all the Judges that they should have, under the direction of the Lord Chief Justice, other Judges sitting in their Courts of greater experience. Whatever might happen to the Order in question, he trusted Her Majesty's Government would take into consideration the necessity of appointing some Assistant Judges of the same class as the Chief Justice of the Common Pleas and Lord Chief Baron; and that they would not allow all the patronage hitherto disposed of by the Judges to be entirely in the hands of the Lord Chief Justice. He had endeavoured to show that, in course of time, the lines they were proceeding upon would necessitate the appointment of three more Judges. He believed our Commercial Code would never have been in its present state had it not been for such men as tried the the civil causes at Guildhall; and he trusted that some step would be taken to ensure that the Common Law Bench should continue to be reserved for the best men at the Bar. Indeed, he could conceive no greater danger to the public than that such men should refuse to sit upon that Bench; and, therefore, he believed if the Order was passed, a step would be taken in the wrong direction.

SIR WILLIAM HARCOURT said, if he could agree with the right hon. Gentleman as to the effect the Order would have upon the position of the Common Law Judges in the future, he should certainly not support it; for he could not conceive anything more necessary than to maintain the character and public esteem of the Common Law Judges. The right hon. Gentleman had, several times in the course of his speech, referred to the 12 Judges in the old days, and pointed out how much more difficult it was to find 18 suitable men than 12. It was impossible to go back to the condition of things which existed in the days of the 12 Judges. He could not agree that the fact of having two Judges, to be called Chiefs though they had no subjects, and of their having somewhat higher salaries, could raise the level of the whole of the Common Law Judges of England. The right hon. Gentleman argued that the ordinary Judges would be degraded in the opinion of the people of England if two Chief Justiceships were abolished. He had also, in other quarters, heard language of contempt for what were called Ordinary Judges as compared with the so-called Superior Judges; but that had surprised him less than the language of the right hon. Gentleman. When he was first a member of the Bar there were many Judges for whom he had the greatest veneration—he might say fear; but they were ordinary Common Law Judges—Park, Maule, and Blackburn —and certainly they did not derive their dignity or authority from the fact that Lord Denman presided in one Court and Chief Baron Pollock in another. Pollock and Denman were eminent men, and in their time had been Solicitors and Attorneys General; but Blackburn, Park, and the other ordinary Common Law Judges, did not derive their authority and weight with the people of England from the fact that these eminent men were Chiefs in their Courts. What was the proposal of the right hon. Gentleman? He (Sir William Harcourt) confessed it seemed to him that the right hon. Gentleman entertained an empty and chimerical apprehension, and he believed that the authority of the ordinary Puisne Judges of England would be what it always had been, and would rest chiefly on their character, and greatly on their abilities. The more character and abilities they had, the higher would they stand in the estimation of the people of England, and it was a mistake to suppose that they were going to shine with the borrowed light of their visionary Chiefs, who, although they had a little additional salary, had nothing else, not even a finer robe, to add to their weight. He confessed he was astonished at the right hon. Gentleman's mode of dealing with that weighty and respectable Institution, the Incorporated Law Society. He thought his hon. and learned Friend opposite the Member for East Sussex (Mr. Gregory) must be surprised that the Judges of England, who were supposed to be rather a smart and intelligent body, were entirely deceived by the way in which the question was put. He (Sir William Harcourt) could not think that the Heads of the Profession of Solicitors and Attorneys of England were deceived. Did the House suppose that they did not understand this question as well as the House did, and a good deal better? They were the people most interested in the question, and certainly had no interest in degrading the character of the Ordinary Judges; and he did think their decision, and that of the Judges ought to weigh with the House more than that of anyone else. What an extraordinary thing it was that the Ordinary Judges had voted for a proceeding which was to degrade themselves—that a majority of 20 to 5 Judges should come forward to vote for a proceeding which, in the eyes of the right hon. Gentleman opposite, degraded them in the opinion of the people of England. The late Solicitor General (Sir Hardinge Giffard) seemed to think the method in which the matter had been brought before the Judges unfair, and he hinted at some means by which the Government might have brought some pressure to bear upon them; but he could not understand how, in any possible form, pressure could have been brought to bear upon them. Really, when the House was going to determine a particular question of this kind, when only a limited number of Members were able to form an opinion upon it from personal experience, if they did not take the overwhelming opinion of the Judges, and the opinion of such a Body as the Incorporated Law Society, upon it, he did not understand on what ground they were to proceed, unless, of course, they went on the sentimental ground of his hon. and learned Friend the Member for Wolverhampton (Mr. H. H. Fowler), and he had indulged in a lofty tone of sentiment that night, expressing his views in certainly more poetical language than the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) as to those Superior Chiefs and those very Ordinary Judges. He invoked them with the eloquence they all recognized he possessed to continue the "picturesque peculiarities" of the Chiefships. That many of them were picturesque he (Sir William Harcourt) had no doubt, and that many of them might have peculiarities he did not deny; but the "picturesque peculiarities" were to be maintained, "lest,"—as his hon. and learned Friend said, with that sentiment which always met with the response of the other side — he did not know whether the hon. and learned Member used the exact words; but it was in the spirit of — "we Americanize our institutions." He said—"If you do not preserve these picturesque peculiarities you will be having Judges who will whittle away at the Bench." That was the hon. and learned Member's view of the Ordinary Judges. He (Sir William Harcourt) did not think that either the "picturesque peculiarities" of the language of his hon. and learned Friend, or the somewhat sombre views of the right hon. Gentleman, were likely to relegate the 18 Common Law Judges of England to the position they apprehended. The right hon. Gentleman opposite, at the close of his speech, really did seem to feel that he could no longer fight for these shadowy Chiefships; and he dropped the suggestion that, perhaps, after all, there was no use having three Chiefs when they had only one body of Judges, and that they might have one Chief with two Vice Presidents. He (Sir William Harcourt) did not know that two Vice Presidents would do any more than the Chiefs to lift the character of these Puisne Judges. But the right hon. Gentleman did make one suggestion in which he (Sir William Harcourt) did not differ from him altogether—namely, as to the enormous accumulation of patronage in the hands of one Judge. He would only speak for himself, and give his own individual opinion; but it certainly seemed to him that this matter, which was not included in the Order in Council before the House, might very well be considered on some future occasion. He did not wish at all to enter a strong protest against the views of the right hon. Gentleman on this subject, and he would not any longer detain the House, as it seemed to him all had been said on the subject that could be said. It was some satisfaction to the Attorney General and himself to think that in voting for this Order in Council they would be maintaining principles on this Bench that they had always supported.

Mr. WARTON said, he felt very deeply on this subject—a subject which, in comparison with other matters that had lately occupied the attention of the Government, had had but a small fraction of time devoted to it; and, even if this were to be the last time he were to speak—not that he hoped it would be—he should still trespass on the indulgence of the House on a question which touched not only the independence of the Judicial Bench, but a far deeper and more important matter—the Monarchical principle. They had reached a time when they had even in the Cabinet cradle Republicanism. There was a disposition abroad which savoured of Republicanism, and it was to be witnessed in many things which had been brought forward by the Government. There were these terms "President," "Vice President," and so on. He was taking these things from the legal documents of the Judges, and he did not justify their use, from whatever quarter they came. The tendency was to disparage Monarchical principles, and one reason why he valued these ancient Offices under discussion was because they showed they had come from the fountain of honour, and that we were loyal and obedient subjects of the Crown. The titles of Lord Chief Baron and Lord Chief Justice of the Common Pleas should, from their very antiquity, if for no other reason, be retained. In the age in which they lived they must not lose sight of the practical, and the tone of the speech of the still learned Home Secretary was so severely practical that the right hon. Gentleman must have got up in pure wantonness of power to acknowledge a principle recognized by one of the great orators of antiquity—namely, always to meet seriousness with ridicule, and ridicule with seriousness. The right hon. and learned Gentleman should have been directing a jury—he and the learned Attorney General ought to be filling those posts they now sought to destroy. An important argument which had been used in the course of the discussion had not been answered. He did not scruple to say that one reason why they had come to this pass was because they had had a succession of Lord Chancellors distinguished for their knowledge of Equity, their great piety, and their ignorance of the law. Standing up, as he did, for the honour of the old Common Law, he did not wish to see its dignity detracted from more than was absolutely necessary, and for this reason he disregarded all the votes of these Equity Judges. The late Lord Chief Justice had been referred to; and when reference was made to that great man most of them were touched—he himself was touched almost to tears; and he could not help remembering how, at the end of a great trial, which none but he could have tried, and which, should such a case arise in the future, there would be no Judge to do justice to, Chief Justice Cockburn had said he hoped to have some place in the affectionate remembrance of the Bar. This great man did live in the affectionate remembrance of the Bar. What was now taking place reminded him of the old fable of the dying lion. The meaner animals around the lion waited until his last gasp before they commenced to attack him, Had the great Judge lived until to-day, he would have protested as valiantly against the proposed change as, years gone by, he fought for and saved the fortunes of a Government—that of Lord Palmerston. This was another reason for preserving men of this class on the Bench. ["Question!"] This was the Question. He was about to illustrate the difference between two classes of men by what had occurred in the House. When the Government of Lord Palmerston was trembling in the balance, and there had already been an adverse vote given against it in the other House, the brief in the House of Commons was sent to a not very remarkable man, an ordinary Judge, a very respectable man in his way, the kind of man they would have filling all the posts on the Bench after this Order in Council had become law. He was not the man who should have been intrusted with such a brief; but the defence was taken up by Cockburn, and the Government were saved by one of that class which the House was just about to banish from the Bench.

Question put.

The House *divided*:—Ayes 110; Noes 178: Majority 68.

AYES.

Alexander, Colonel C.
Allen, W. S.
Ashmead-Bartlett, E.
Aylmer, Capt. J. E. F.
Bailey, Sir J. R.
Balfour, A. J.
Barttelot, Sir W. B.
Bateson, Sir T.
Bellingham, A. H.
Bentinck, rt. hn. G. C.
Biddell, W.
Birkbeck, E.
Blackburne, Col. J. I.
Bourke, right hon. R.
Brodrick, hon. W. St. J. F.
Bruce, Sir H. H.
Bruce, hon. T.
Campbell, J. A.
Castlereagh, Viscount
Churchill, Lord R.
Clarke, E.
Coddington, W.
Compton, F.
Crichton, Viscount
Cross, rt. hon. Sir R. A.
Davenport, H. T.
Davenport, W. B.
Dawnay, Col. hn. L. P.
De Worms, Baron H.
Dixon-Hartland, F. D.
Donaldson-Hudson, C.
Douglas, A. Akers-
Dyke, rt. hn. Sir W. H.
Emlyn, Viscount
Feilden, Major-General R. J.
Fenwick-Bisset, M.
Filmer, Sir E.
Fletcher, Sir H.
Fowler, R. N.
Gibson, rt. hon. E.
Gore-Langton, W. S.
Gorst, J. E.
Grantham, W.
Halsey, T. F.
Hamilton, I. T.
Hamilton, right hon. Lord G.
Hay, rt. hon. Admiral Sir J. C. D.
Hicks, E.
Hinchingbrook, Visc.
Holland, Sir H. T.
Home, Captain D. M.
Hope, rt. hn. A. J. B. B.
Kennard, Col. E. H.
Kennaway, Sir J. H.
Knight, F. W.
Leamy, E.
Leighton, S.
Levett, T. J.
Lewisham, Viscount
Loder, R.
Long, W. H.
Lopes, Sir M.
Mac Iver, D.
M'Garel-Hogg, Sir J.
M'Laren, C. B. B.
Makins, Colonel W. T.
Manners, rt. hn. Lord J.
Marriott, W. T.
Maxwell, Sir H. E.
Metge, R. H.
Mills, Sir C. H.
Morgan, hon. F.
Moss, R.
Mowbray, rt. hn. Sir J. R.
Mulholland, J.
Murray, C. J.
Newport, Viscount
Northcote, H. S.
O'Donnell, F. H.
Parker, C. S.
Patrick, R. W. C.
Pemberton, E. L.
Powell, W.
Power, R.
Puleston, J. H.
Rankin, J.
Ridley, Sir M. W.
Ritchie, C. T.
Round, J.
Sandon, Viscount
Schreiber, C.
Sclater-Booth, rt. hn. G.
Scott, M. D.
Severne, J. E.
Smith, rt. hon. W. H.
Stanhope, hon. E.
Sykes, C.
Talbot, J. G.
Taylor, rt. hn. Col. T. E.
Thornhill, T.
Tottenham, A. L.
Walrond, Col. W. H.
Warton, C. N.
Watney, J.
Whitley, E.
Wilmot, Sir H.
Winn, R.
Wortley, C. B. Stuart-
Wroughton, P.
Yorke, J. R.

TELLERS.

Fowler, H. H.
Giffard, Sir H. S.

NOES.

Acland, Sir T. D.
Agar-Robartes, hon. T. C.
Agnew, W.
Ainsworth, D.
Allen, H. G.
Armitstead, G.
Arnold, A.
Ashley, hon. E. M.
Balfour, J. B.
Balfour, J. S.
Barran, J.
Bass, A.
Bolton, J. C.
Boord, T. W.
Bradlaugh, C.
Brand, H. R.
Brassey, T.
Brett, R. B.
Bright, rt. hon. J.
Brooks, M.
Brown, A. H.
Bruce, rt. hon. Lord C.
Bryce, J.
Burt, T.
Buszard, M. C.
Buxton, F. W.
Campbell, R. F. F.
Campbell-Bannerman, H.
Causton, R. K.
Cavendish, Lord F. C.
Chamberlain, rt. hn. J.
Cheetham, J. F.
Childers, rt. hn. H. C. E.
Chitty, J. W.
Clarke, J. C.
Cohen, A.
Collings, J.
Collins, E.
Colthurst, Col. D. la T.
Commins, A.
Cotes, C. C.
Cowper, hon. H. F.
Craig, W. Y.
Creyke, R.
Cropper, J.
Cross, J. K.
Crum, A.
Cunliffe, Sir R. A.
Davey, H.
Davies, D.
Davies, R.
Davies, W.
Dickson, J.
Dilke, A. W.
Dilke, Sir C. W.
Dillwyn, L. L.
Dodson, rt. hon. J. G.
Duff, rt. hon. M. E. G.
Dundas, hon. J. C.
Earp, T.
Edwards, H.
Edwards, P.
Egerton, Adm. hon. F.
Elliot, hon. A. R. D.
Errington, G.
Evans, T. W.
Fairbairn, Sir A.
Farquharson, Dr. R.
Fawcett, rt. hon. H.
Ffolkes, Sir W. H. B.
Findlater, W.
Firth, J. F. B.
Fitzmaurice, Lord E.
Fitzwilliam, hon. C. W. W.
Fitzwilliam, hn. H. W.
Foljambe, C. G. S.
Forster, Sir C.
Fort, R.
Fowler, W.
Fry, L.
Fry, T.
Gladstone, rt. hn. W. E.
Gladstone, H. J.
Gladstone, W. H.
Gordon, Sir A.
Gower, hon. E. F. L.
Grant, A.
Grant, Sir G. M.
Gray, E. D.
Gregory, G. B.
Grenfell, W. H.
Grey, A. H. G.
Guest, M. J.
Hamilton, J. G. C.
Harcourt, rt. hon. Sir W. G. V. V.
Hartington, Marq. of
Hastings, G. W.
Hayter, Sir A. D.
Henry, M.
Herschell, Sir F.
Hill, A. S.
Hill, T. R.
Hollond, J. R.
Holms, J.
Holms, W.
Hopwood, C. H.
Illingworth, A.
James, C.
James, Sir H.
Jardine, R.
Jenkins, D. J.
Johnson, E.
Johnson, W. M.
Kingscote, Col. R. N. F.
Kinnear, J.
Lawson, Sir W.
Laycock, R.
Lea, T.
Leatham, W. H.
Lee, H.
Lefevre, right hon. G. J. S.
Lewis, C. E.
Mackie, R. B.
M'Carthy, J.
M'Kenna, Sir J. N.
M'Lagan, P.
Marjoribanks, E.
Martin, P.
Martin, R. B.
Mason, H.
Molloy, B. C.
Monk, C. J.
Morgan, rt. hon. G. O.
Morley, A.
Morley, S.
Mundella, rt. hon. A. J.
Nolan, Major J. P.
O'Beirne, Major F.
O'Conor, D. M.
O'Gorman Mahon, Col. The
O'Shea, W. H.
Palmer, C. M.
Palmer, G.
Palmer, J. H.
Pease, A.
Peddie, J. D.
Philips, R. N.
Pugh, L. P.
Pulley, J.
Ralli, P.
Ramsay, J.
Ramsden, Sir J.
Reed, Sir E. J.
Reid, R. T.
Rendel, S.
Richardson, T.
Roberts, J.
Rylands, P.
Sexton, T.
Shield, H.
Simon, Serjeant J.
Smithwick, J. F.
Stanley, hon. E. L.
Stansfeld, rt. hon. J.
Summers, W.
Thompson, T. C.
Tracy, hon. F. S. A. Hanbury-
Trevelyan, G. O.
Waugh, E.
Wedderburn, Sir D.
Whitworth, B.
Williams, S. C. E.
Williamson, S.
Willis, W.
Wilson, Sir M.
Wodehouse, E. R.
Woodall, W.
Woolf, S.

TELLERS.

Grosvenor, Lord R.
Kensington, Lord

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Friday, 11*th February*, 1881.

MINUTES.] — SELECT COMMITTEE — Highway Acts, *appointed*.

PUBLIC BILLS — *First Reading* — Universities (Scotland) (Voting) * (32).

Second Reading—Consolidated Fund *.

AFGHANISTAN—RETENTION OF CANDAHAR.

MOTION FOR AN ADDRESS.

LORD WAVENEY, in rising to move an Address for further Papers relating to the retention or abandonment of Candahar which have been communicated for the information of the Home or Indian Government by civil or military officers, said, the question of the retention of Candahar was of a most important character. He maintained that, since attention was first called to the intended abandonment of that city, public interest in the matter had grown till it pervaded every class, his own opinion being that the proposed step would be equivalent to the abandonment of Gibraltar. Indeed, it was regarded by many men who were competent to form an opinion upon it as one of vital consequence to our position in India. He felt assured that there were many documents in the Government archives which would afford valuable information in relation to it, which could properly be laid before Parliament as tending to the elucidation of so important a subject, which they could not wish to keep back from the country, and which they would have an easy way of presenting if his Motion were carried. Among the documents of the kind to which he referred was the Memorandum of Lord Napier of Magdala, which singularly illustrated the difference between official and general public knowledge on the subject. The document was a most remarkable one, supporting the opinion of many persons already formed upon the subject; and they should have the documents upon which some of the assertions in that document were based. There had been so much hypothesis and uncertainty upon the question that it was most desirable that they should have all the authentic information on the subject which it was in the power of the Government to furnish. The Memorandum he referred to stated that if Candahar were abandoned by us it would be said by the Afghans that Ayoub Khan had driven us out, and Lord Napier added that that would be partly true. There might also be included, for instance, an important letter which recently appeared in *The Standard* and in *The Morning Post.* The writer was no ambitious soldier, desirous of war for professional advancement, but one who was well known in this country, as well as in India, for his historical accuracy, his judgment, and discretion—he meant Colonel Malleson. That distinguished officer had had an experience of India of upwards of 30 years; and he declared that the contemplated surrender of Candahar was viewed with absolute horror by the Native officers of the Indian Army, who complained that that which had been won with so much difficulty and bloodshed should be so lightly abandoned. He (Lord Waveney) had a list of the names of gentlemen who had expressed their opinions on the Candahar question, and must certainly complain that but few of those opinions were officially before the House. They were: Lord Napier of Magdala, Lord Strathnairn, Sir Henry Rawlinson, Sir William Merewether (late), Sir George Malcolm, Sir Frederick Roberts, Sir Donald Stewart, Sir Michael Biddulph, Sir Edmund Hamley, Sir George Lawrence, Sir Edwin Johnson, Sir Frederick Haines, Sir Henry Green, Sir Arnold Kemball, Sir Richard Temple, Sir Fitzjames Stephen, Sir Bartle Frere, Major General Parke, Colonel Donald Macnabb, and Colonel Malleson. It was very desirable that the statements of these authorities should be before the House; and he, therefore, hoped there would be no objection to the production of the Papers for which he moved, and which he set out in a list which he begged to hand to the noble Viscount the Under Secretary of State for India.

Moved, That an humble Address be presented to Her Majesty for further Papers relating to the retention or abandonment of Candahar which have been communicated for the information of the Home or Indian Government by civil or military officers.—(*The Lord Waveney.*)

VISCOUNT ENFIELD: My Lords, I think that neither my noble Friend (Lord Waveney) nor your Lordships will expect me to go at any length into, or indeed to notice, the main question whether Candahar should be permanently occupied or not. But I will reply, in a very few sentences, to his appeal as to whether any further Correspondence upon that very interesting and important question will be introduced to your Lordships' notice. A similar Question was addressed to my noble Friend the Secretary of State for India (the Marquess of Hartington) last week in "another place," when my noble Friend said that, while he thought there was no obligation on the part of the Government to produce private official Memoranda of such Correspondence bearing on this subject, still, he would consider whether it would not be possible to supply the two Houses of Parliament with further information bearing upon the point. My noble Friend, since that time, has had the subject further under his consideration; and I believe I am justified in saying that he has looked over very valuable and interesting Memoranda and Correspondence—although not perhaps of an official character—bearing upon this subject, and that he is now considering what portion of that Correspondence and of those Memoranda might properly be submitted to Parliament. Owing, however, to the confidential character of some of the Papers, it has been necessary for my noble Friend to consult the distinguished persons from whom they have emanated, with a view to obtaining their consent to such communications being laid before Parliament; and until my noble Friend has received their consent, he will not, of course, do so. Such, I believe, is the Secretary of State's intention; and, although I cannot answer as to the particular persons whose opinions will be presented, I think I may assure my noble Friend (Lord Waveney) that the Secretary of State will be in a position to present them before the debate of which Notice has been given by the noble Earl the late Viceroy of India (the Earl of Lytton) for the 24th.

Lord WAVENEY said, that, after the assurance of his noble Friend, he would not, of course, proceed with the Motion.

Motion (by leave of the House) *withdrawn.*

MALTA—PETITIONS OF THE MALTESE HOUSE OF COMMONS AND OF THE PEOPLE OF MALTA.

QUESTION.

Earl DE LA WARR asked the Secretary of State for the Colonies, If there is any objection to laying upon the Table of the House any further Correspondence or Papers relative to the affairs of Malta, especially with reference to certain representations and Petitions which had been addressed by the Maltese people to the Imperial Government?

The Earl of KIMBERLEY, in reply, said, that in point of fact there was no Correspondence such as that referred to by the noble Earl (Earl de la Warr) in addition to that which was laid on the Table in September last, with the exception of a letter written by a member of the Council, which merely repeated statements to be found in the Papers already produced. That being the case, he (the Earl of Kimberley) did not suppose the noble Earl would move for the production of that one Paper.

HIGHWAY ACTS.

MOTION FOR A SELECT COMMITTEE.

Earl DE LA WARR, in rising to move for the appointment of a Select Committee to inquire into the operation of the Highway Acts, and also to consider whether it might be desirable to consolidate and amend the same, said, that on an early day he would submit the names of the Committee. He intended that the Committee should be composed of the same Peers as served on that of last year.

Moved, That a Select Committee be appointed to inquire into the operation of the Highway Acts, and also to consider whether it may be desirable to consolidate and amend the same.—(*The Earl De La Warr.*)

On Question? *agreed to.*

THE ROYAL COMMISSION ON AGRICULTURAL DISTRESS, AND LANDLORD AND TENANT (IRELAND) ACT, 1870—THE ROYAL COMMISSION ON LAND—THE EVIDENCE.

QUESTION. OBSERVATIONS.

Lord ORANMORE and BROWNE asked, When the Evidence taken before Her Majesty's Commissioners on Agriculture, and also before Her Majesty's Commissioners appointed to inquire into the working of the Landlord and Tenant (Ireland) Act, 1870, will be circulated? In doing so, the noble Lord said, that as soon as the Coercion Bill, which was now before the House of Commons, was passed into law, a Land Bill was likely to be introduced, for that was the course pursued in 1870. First, they had a temporary Coercion Bill, and then a permanent Confiscation Bill. If the recommendations contained in the Report of the Royal Commissioners appointed to inquire into the working of the Land Act of 1870, and which were presided over by the noble Earl (the Earl of Bessborough), were to be carried out, most decidedly the Land Bill to be brought forward would be most exceptional and curious, and would be founded on principles which had never yet been sanctioned by any Parliament. Their Lordships, however, had not seen any of the evidence taken by the Commissioners, and as these Bodies had been appointed not only for the purpose of informing the Government, but for the purpose of giving information to Parliament and the public generally, no Bill could possibly be well considered as fair and just to all parties, if it was introduced to Parliament and the public before they had had time to consider and digest the evidence and form an opinion as to how far it supported the different Reports of the Commissioners. As to the Duke of Richmond's Commission, statements were made as to tenants' improvements in Ireland in the Reports which would be misleading, unless the evidence could be gone through. Tenants' improvements were quite exceptional, and were almost unknown in the part of Ireland from which he (Lord Oranmore and Browne) came; and he should like to know upon what evidence the Commissioners founded their statements. From his experience as an Irish landlord, he was sorry to say that, in his district, much injury was done to the land by tenants, to say nothing of there being an absence of improvements. Instead of being the universal rule, as was alleged, they were quite exceptional, and, in fact, almost unknown. It would be interesting to him to see the evidence and to examine it, not only on that point, but also as to good and bad cultivation, for the cultivation of the land in some parts of Ireland was of the very worst kind, and in some small holdings there was not more than one-third of the produce there ought to be, because of the want of capital to cultivate the land. In his (Lord Oranmore and Browne's) part of the country, for instance, there were only two or three farms that could be said to be properly cultivated. The knowledge he had also led him to believe that, unless in exceptional cases, there was no such thing as competitive rents. As to the Land Commission, that was a very hurried affair—it only sitting for 60 days—the subject of inquiry being the working of the Land Act of 1870 and other supplementary Acts; but, not content with informing themselves upon those subjects, it seemed, according to some of the arguments made use of in the Reports, they had considered the question of the cultivation of land in Ireland for the past 700 or 800 years. Why they should have gone so far back he could not understand. For all practical purposes they might just as well have been instructed to inquire into the cultivation of the Garden of Eden. He himself bought a property in Ireland in 1854, when there was great competition, and he paid a price which was so high that the Land Judge asked him if there was a gold mine on it. And now he was to be told that it was not his property at all, but the property of his tenants. The recommendations of the Commission were exceedingly curious, admitting as a basis for legislation the traditions, and sentiments, and wishes of the people. If this country were to be governed according to traditions, and sentiments, and wishes, then all common sense was gone, and there would be no limit to measures brought about by the competition of different parties in the country in their anxiety for momentary popularity. If they were to govern Ireland on such principles as that, he did not know what would become of the country, or of that class which received too little consideration in this matter—namely, the poor landlords. It was contended that the tenant ought to be joint owner of the land, subject to some rent that was to be fixed by some extraordinary tribunal, which was to be quite impartial. The position of the landlord was still more complicated. One thing was certain, he was to get no rent for two years. All freedom of contract, all existing contracts, as well as three or four Acts of Parliament that had been passed since 1847, were to be treated as if they had never existed. He asked their Lordships to give some thought to the case of the Irish landlords at the present time. He would not speak of the danger to their lives and movable property; but many of them were now in a state of absolute want, having been without income for two years. He knew many friends who ought to be comfortable; but who had suffered great privation owing to this cause, and who were now on the verge of want. That class of Her Majesty's subjects deserved as much consideration and justice as any other class, and yet he had never heard one word of sympathy for the poorer members of the class to which he belonged. They were not a small class, for the landlords with the mortgagees and others interested in the rents amounted to 150,000. It seemed to him that there was something ungenerous in the British public to think only of the tenants, who were alleged to be so poor, but who were better off now than those who used to be their richer neighbours.

If the present or the Conservative Government had only put the existing law into force, as it was enforced in England, it would have checked at once the state of things which now existed. Take the case of the miners' meeting in Lancashire the other day. A certain number of the men threatened the others if they did not come out on strike. The meeting was put down; but had that sort of thing been allowed to go on, what would have been the condition of the manufacturing districts in England in three months? Let the House consider the matter of Irish land fairly, with the evidence before it. Let Her Majesty's Government do, not what would gain them popularity, but what was honest. Let them not, as public men, put aside that honesty which would guide them in private. Let them pass a Bill for England, or, if it was necessary, for the three countries, and put in any clauses that were necessary to make it apply to exceptional holdings in Ireland. Such a system of legislation and fair dealing would do more to unite the countries, and to create peace, than this game of battledore and shuttlecock which they had been playing in Ireland ever since she had been connected with this country. It seemed likely that they would have the Land Bill in the other House by the 24th of February, and it was of the utmost importance that they should have time to digest the mass of evidence and understand it before being called on to decide on the measure. If the Bill were brought forward in a hurry and pushed on merely that the Government might gain popularity they would do a lasting injury to Ireland. Unless he was misinformed, a great part of the evidence of the first Commission had been in the possession of the Home Secretary for a considerable period; and he could not understand why, ere this, it had not been presented to the House.

THE EARL OF DALHOUSIE: My Lords, you can scarcely expect me to follow the noble Lord (Lord Oranmore and Browne) in all the details of the argument with which he has supported the Question he has put to the Government. The noble Lord has also spoken at some length upon the effects of the Land Act of 1870—a subject upon which I shall not now enter, seeing that no Notice has been given. The noble Lord also spoke of the Land Bill which is about to be brought forward by the Government. Not being prophetically inspired, I am unable to follow him there. He further told us a great deal of the part of Ireland with which he is best acquainted; and in support of his statements he has told many interesting facts, which I have no doubt are entirely correct, but am unable to discuss, because of my unacquaintance with that part of the country. But from Ireland he proceeded to the Garden of Eden; and there, my Lords, I am able to follow him. It is true, I am like everyone else, unacquainted with the nature of the agriculture there pursued; but I may claim to know as much about the system of tenure which existed in that part of the world as the noble Lord; and I may say that I think his reference to the Garden of Eden was rather unfortunate, for, so far as I know, the Garden of Eden affords the earliest instance on record of an arbitrary eviction. I will answer the noble Lord's Question very shortly. The evidence of the Agricultural Commission, so the printers inform us, will be published in a week (with the exception of the index, which is in course of preparation); and the evidence of the Irish Land Commission will be ready about the same time.

House adjourned at Six o'clock,
to Monday next, a quarter
before Five o'clock.

HOUSE OF COMMONS,

Friday, 11*th February*, 1881.

MINUTES.]—PUBLIC BILLS—*Ordered*—*First Reading*—Blind and Deaf-Mute Children* [85].

Select Committee—Married Women's Property (Scotland) [45], *nominated.*

Committee—Protection of Person and Property (Ireland) [79]—*Second Night*—R.P.

QUESTIONS.

POST OFFICE (TELEGRAPH) DEPARTMENT—WESTERN LONDON.

MR. FIRTH asked the Postmaster General, Whether he is prepared to take into his consideration the propriety of restoring the telegraphic accommodation formerly existing at Addison Road Station, and to provide further facilities in Western London for the despatch of night telegrams?

MR. FAWCETT, in reply, said, that the question had been considered by the Post Office, and it had been decided not to re-open the telegraph station at Addison Road, it having been found to be more convenient to the inhabitants of the district to have a telegraph office within a short distance east of the Station, and in a short time there would be another a short distance west of the Station. He thought that with these two offices the wants of the neighbourhood would be fully supplied. In the Western District of London there were eight telegraph offices open till 11 o'clock p.m., and two open all night and all day. He thought that accommodation was sufficient.

NATIONAL BOARD OF EDUCATION (IRELAND)—TEACHERS OF BALLYEGAN NATIONAL SCHOOL.

SIR PATRICK O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether in a mixed national school the rule of the National Board at present is, that to entitle the school to the advantage of the teaching of an assistant schoolmistress the attendance must average seventy; whether the effect of this rule in the Ballyegan National School, King's County (where there are at present some twenty-three young girls attending), is, to leave them altogether to the charge of male teaching, and to prevent their receiving any instructions in sewing or other female industries, and of that female supervision so necessary to young female children; and, whether he will use his influence to have the rule amended?

MR. W. E. FORSTER: Sir, the hon. Baronet has correctly said that, according to the rule of the National Board, there must be an average daily attendance of 70 to require an assistant teacher, male or female. With respect to other schools attended by boys and girls, or mixed schools, the average daily attendance required is 35. In the particular school alluded to in the Question, the average daily attendance is only 37, and the average daily attendance of girls is only 16. Under those circumstances, the school has no claim to an assistant schoolmistress. In England, I should state, an assistant teacher is not given unless the average daily attendance comes up to 100.

MALTA—THE PROPOSED REFORMS.

MR. ANDERSON asked the Under Secretary of State for the Colonies, If he can state briefly, regarding Malta and the chief reforms recommended there by Mr. Rowsell, Sir Penrose Julyan, and Mr. Keenan, some of which reforms seemed on the point of being entered upon by Her Majesty's late Government, which of them are to be carried out by Her Majesty's present Government; and, in particular, if the Maltese people are soon to be enfranchised, by abolishing the foreign language test that now bars them from the suffrage; if the present severe tax on the food of the people is to be done away with or reduced; and, what is to be done to give English speaking and writing the preference over Italian in a British Colony?

MR. GRANT DUFF: Sir, first, I may say generally that Her Majesty's Government agree, to a great extent, with the views which have been put forward by the three gentlemen mentioned in the Question, and which are, I believe, substantially those of my hon. Friend. Of the specific recommendations made by Sir Penrose Julyan several have already been carried into effect. For instance, the Public Works Department has been made a separate department, the Department of the Receiver General has been constituted so as to absorb the Treasury and part of the Land Revenue Department, and a Contract Committee has been established. Other proposals of Sir Penrose Julyan are still under consideration. Secondly, a Bill for the reduction by one-half of the quite indefensible wheat tax, so justly objected to by my hon. Friend the Member for Rochdale (Mr. T. B. Potter) and others, will, I expect, be proposed during the present Session of the Council. Thirdly, a Commission has been appointed, under the presidency of Mr. Savona, to examine and report as to the adoption of Mr. Keenan's proposals with regard to the re-organization of the University; and the Local Government hopes, before the Session of the Council is over, to lay before it a measure founded upon the Report of that Commission. With regard to the English language, it is, of course, well known to all interested in Malta that hitherto the English language has been too little encouraged there, and it is now intended further to encourage it. If the Maltese are to have a fair chance of success in life, that must be done, and already the use of English is enforced in all Departments of the State except the Judicial Department. With regard to the language test respecting which my hon. Friend has asked, I am not aware that any complaint has ever been made of that test by the Maltese people; but if any demand were to arise for its abolition, I must say I cannot see how any reasonable objection could be made to it.

WEIGHTS AND MEASURES ACT, 1871 —SECTION 45—LEGISLATION.

Mr. ROSS asked the President of the Board of Trade, Whether, under the uncertainty existing as to the interpretation of the forty-fifth section of the Weights and Measures Act, 41 and 42 Vic. c 49, he proposes any legislation on the subject by which an inspector should be bound to accept as correct any measure or vessel duly stamped by an inspector outside his district, without himself verifying the accuracy?

Mr. CHAMBERLAIN: Sir, the 45th section of the Act is as follows:—

> "A weight or measure duly stamped by an inspector under this Act shall be a legal weight or measure throughout the United Kingdom, unless found to be false or unjust, and shall not be liable to be re-stamped, because used in any place other than that in which it was originally stamped."

It is only when found to be "false or unjust" that a weight or measure is liable to be re-stamped. There has been a recent conviction by magistrates for the use of a druggist's measure, on the ground of inaccuracy, though it had been stamped by an inspector; but this conviction has been quashed on appeal, on the ground that, though slightly inaccurate, the measure was not shown to be false or unjust. Under these circumstances, I do not at present anticipate any difficulty from the action of different inspectors, and I do not think it would be desirable to make the stamp of an inspector an absolute protection where "falsehood or injustice" can be proved. I may add that the Board of Trade are preparing a Table of the errors which may be allowed in druggists' measures, and I hope that this may help to remove the difficulties local inspectors have found in dealing with these minute quantities.

NAVY—SEAMEN'S RATIONS.

Sir H. DRUMMOND WOLFF asked the Secretary to the Admiralty, Whether, considering the great discomfort and dissatisfaction caused to the seamen of Her Majesty's Fleet by the recent order prohibiting the landing of fresh meat rations, a pratice of long usage, the Admiralty are prepared to rescind or modify such order; or, in any case, whether an opportunity will be given to the seamen freely to represent to the authorities their views on the matter; and, if so, what steps will be taken to give the men such hearing?

Mr. TREVELYAN: Sir, the Order prohibiting the landing of rations is not recent; but, as I informed the hon. Member last week, has been in the Queen's Regulations for at least 36 years. A practice opposed to that Regulation has undoubtedly grown up, and the question has been brought forward by the Commander in Chief at Portsmouth. The Board of Admiralty are inquiring into the matter fully, deliberately, and with reference to the whole Service, and not to a single ship, or a single port, or a single article of diet. But I must plainly tell the hon. Member that the Lords of the Admiralty would not deserve to be responsible for the discipline of the Navy, if they allowed themselves to be influenced by his declaration in Parliament that great dissatisfaction existed among the seamen of Her Majesty's Fleet in consequence of a Regulation which was in force long before any of them entered it.

Sir H. DRUMMOND WOLFF said, he would call the attention of the House to the subject on the Motion for going into Committee of Supply on the Navy Estimates.

ARMY—FIRST CLASS ARMY RESERVE.

Mr. STUART-WORTLEY asked the Secretary of State for War, Whether those men of the First Class Army Reserve who were called back to the Colours in 1878, and who were promised by War Office Circular that they should be allowed to count towards their pensions their time of service in the Reserve are now, after being discharged, to be given the pensions due to them under that promise?

MR. CHILDERS: Sir, I stated last year that a Bill would be introduced during the present Session to enable the Commissioners of Chelsea Hospital —the War Office having nothing to do with the matter—to meet the claims for pensions of certain long-service, not short-service, Reserve men who were called out in 1878. This Bill is now being prepared by the draftsman, and there will be no delay in its introduction.

THE LAND COMMISSION—THE EVIDENCE.

SIR HERVEY BRUCE asked the Secretary to the Treasury, When the evidence given before the Land Commission will be printed?

MR. W. E. FORSTER, in reply, said, that he had presented the first volume of the evidence to the House that evening; but, as it was very large, it could not be ready for circulation among hon. Members until next week. The rest of the evidence would be in circulation as soon after as possible; and he could assure hon. Members that Government was using every exertion to bring it before the House as soon as they could.

SOUTH AFRICA — THE TRANSVAAL (POLITICAL NEGOTIATIONS)—MEDIATION.

SIR WILFRID LAWSON asked the First Lord of the Treasury, Whether the communications which he yesterday stated had been sent to President Brand regarding the conditions on which peace might be made in the Transvaal have ever been directly transmitted by our Government to the leaders of the Boers?

MR. GLADSTONE: Sir, in answer to the Question of my hon. Friend, I would say that, having been in communication with President Brand, and having made a distinct and formal request to him that he would make known to the Leaders of the Boers the communications he had received from us, the Government do not think they can, with propriety, adopt any other course.

SIR WILFRID LAWSON: Has the right hon. Gentleman any information that President Brand has given this information to the Boers?

MR. GLADSTONE: I do not think there has been any answer from President Brand yet.

ARMY—THE ORDNANCE COMMITTEE.

MR. W. H. SMITH asked the Secretary of State for War, What will be the composition of the proposed Ordnance Committee; whether it is intended to supersede the existing Committees on Heavy Guns and on Machine Guns; and, what will be the functions of the new Committee?

MR. CHILDERS: Sir, in reply to my right hon. Friend, I would appeal to him not to require me to anticipate the detailed Statement which I shall make on this subject in moving the Army Estimates. But if he refers to page 73 of those Estimates, he will see the constitution of the Committee, which, I may say, will absorb the duties of the existing Committees.

LORD EUSTACE CECIL asked, By whom the Chairman of the Committee would be appointed, and whether the Report would be sent to the War Office?

MR. CHILDERS, in reply, said, that the Chairman would be appointed by him, and the Report would be forwarded to the War Office.

AGRICULTURE—DISCOVERY OF COLORADO BEETLES IN DEVONSHIRE.

MR. BORLASE asked the Secretary of State for the Home Department, Whether his attention has been called to the evidence adduced at the Yealmpton Police Court with regard to the discovery of Colorado beetles in South Devon; and, whether he has considered if the fine of £5 imposed by the magistrates provides an adequate protection to the agricultural interests of the district against the possible consequences of the preservation of that insect?

MR. MUNDELLA: I have been requested to answer this Question, Colorado beetles being in my Department. The history of the case referred to by my hon. Friend is as follows:—On the 5th instant the deputy chief constable of Devon telegraphed to the Clerk of the

Council that a man near Plymouth was in possession of some live Colorado beetles, which he refused to give up, that there was no power to apprehend, and asked for instructions. A telegraphic reply was immediately sent to the effect that the Destructive Insects' Act of 1877 and the Order passed under that Act provided for the imposition of penalties in such cases. Copies of the Act and Order were forwarded to him by that night's post. On the 7th instant the Home Office sent us a letter from the clerk of the justices of the petty sessions division on the subject. We gave him the same information as was given to the deputy chief constable. On the 10th instant we received an official intimation that the defendant had been convicted and fined £5, the maximum penalty of £10 having been mitigated, as he pleaded ignorance of the law and proved that the beetles had been destroyed.

METROPOLIS—THE FIRE BRIGADE.

Mr. WHALLEY asked the Secretary of State for the Home Department, Whether his attention has been called to the deeds of personal bravery performed by men of the Fire Brigade, as mentioned in Captain Shaw's Report; and whether Her Majesty's Government cannot provide some means for the formal recognition of such services?

Sir WILLIAM HARCOURT: Sir, in answer to my hon. Friend, I have to say that some time ago the Metropolitan Board of Works resolved to give a medal as a reward for saving life from fire to members of the Brigade on the special report of their officers.

SOUTH AFRICA — THE TRANSVAAL (MILITARY OPERATIONS) — TELEGRAMS.

Colonel STANLEY asked the Secretary of State for War, Whether he had received any news from the Transvaal; and whether Government intended to send out, or to offer to send out, more reinforcements?

Mr. CHILDERS: Sir, in reply to my right hon. Friend I have to state that immediately on the receipt of the news of Sir George Colley's action at Ingogo, I discussed the position of affairs with Lord Kimberley; and, after consultation with my military advisers, we telegraphed yesterday to Sir George Colley, offering to send to him within 10 days a considerable force of Infantry, Cavalry, and Artillery, and the arrangements to despatch them were at the same time settled. I asked Sir George Colley to telegraph to me the exact amount of reinforcements which he considered it would be desirable to send out; and, on the receipt of his reply, the final orders will be at once given. My right hon. Friend also asked me what telegrams we have received. In answer, I have to say that last night I received two telegrams from Sir George Colley, the first having been sent off at 5.20 p.m. yesterday, and the second at 7.45 p.m. This morning I have received two additional telegrams from Sir George Colley. They are as follows:—

"From the General Officer Commanding Natal and Transvaal to the Secretary of State for War (received 11th February).

"Feb. 11, 1881.

"Boers have occupied late battlefield.

"Reported to be in force in neighbourhood of Newcastle.

"I offered medical assistance to Boer commandant after engagement; offer declined, though in grateful terms, but permission asked to send waggons with their wounded by road through our lines.

"Search party still looking for body of Lieutenant Wilkinson.

"From the General Officer Commanding Natal and Transvaal to the Secretary of State for War (received February 11, 1881).

"Feb. 10, 1881.

"Following is corrected list casualties on 8th:—

"Staff—Captain Macgregor, R.E., Assistant Military Secretary; Mr. M. Stuart, Resident Magistrate, my interpreter, killed

"King's Dragoon Guards—1 man wounded.

"Royal Artillery—Captain Greer, 3 men, killed; Lieutenant Parsons, 10 men, wounded.

"58th Regiment—2 men killed.

"60th Rifles—Lieutenants Garrett and O'Connell, 56 men, killed; Second Lieutenants Pixley, Haworth, Thistlethwayte, 52 men, wounded; Lieutenant Wilkinson, 8 men, missing.

"Army Service Corps—1 man wounded.

"Wounded all removed to Newcastle; dead buried on the field.

"Lieutenant Wilkinson believed to have been drowned crossing flood stream, taking aid to wounded after engagement; am searching for body.

"Haworth dangerously wounded; Pixley, Parsons, severely: Thistlethwayte slightly.

"Nominal rolls of dead will follow."

[The third telegram, as read by the right hon. Gentleman, was dated Feb. 10, and merely contained a list of the killed and wounded in the action on the 8th inst.]

LORD RANDOLPH CHURCHILL said, that a telegram had appeared in *The Times* saying that communications between the camp and Newcastle were cut off on Thursday afternoon, and asked, how communications could be expected from Sir George Colley on the subject of reinforcements, if this intelligence were true?

MR. CHILDERS: I must take blame to myself that I have not studied all the telegraphic communications which have appeared in the newspapers, so as to be able to correct them without notice. But the paper in question contains a communication from the seat of war, and another very long telegram appears in another paper to-day. They are both dated from Newcastle on Wednesday, whereas I have now read despatches dated late on Thursday night from Sir George Colley himself. I am, therefore, under the belief that there must be some misapprehension as to the telegraphic wire having been cut.

PUBLIC BUSINESS—THE ARMY AND NAVY ESTIMATES.

SIR JOHN HAY asked the Secretary to the Admiralty, When he proposed to introduce the Navy Estimates?

SIR STAFFORD NORTHCOTE wished to know, What Business the Government would take after the completion of the Protection of Person and Property (Ireland) Bill?

MR. GLADSTONE: Sir, I am bound to say that, however desirable it is to keep the House as well informed as I can, I do not think it would be of great advantage, until we are through Committee with the Protection of Person and Property (Ireland) Bill, to attempt to fix what we should take afterwards; but this I will say certainly, that we shall not propose to proceed with either the Army or Navy Estimates next week.

CONTAGIOUS DISEASES (ANIMALS) ACTS—FOOT-AND-MOUTH DISEASE.

SIR HERBERT MAXWELL asked the Vice President of the Council, Whether he can give the House any information as to the spread of foot-and-mouth disease in the North of England?

MR. MUNDELLA: Sir, I do not think there has been any such spread of foot-and-mouth disease in England since last week as to render necessary any change in the surrounding circumstances. As soon as ever the disease spread to Durham we issued an Order affecting Scotland, which placed the local authorities in full power to deal with the whole of the question. I am sorry to say that I have heard to-day that, although there is no further spread northwards as far as England is concerned, there has been an outbreak in Wigtownshire, in Scotland.

STATE OF IRELAND—EVICTIONS IN ARMAGH COUNTY.

MR. T. P. O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he has received information of fifty families having been evicted in the County Armagh, and that thirty-four other families have been served with notices of eviction?

MR. W. E. FORSTER: I must ask the hon. Gentleman to give me Notice of the Question.

STATE OF IRELAND—THE COUNTY OF LEITRIM.

MR. FINIGAN: I wish to ask the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can now state the terms of the resolution of the Leitrim Board of Guardians in reply to an application made to them to allow the quartering of troops in the workhouse?

MR. W. E. FORSTER: I have stated before, in answer to a Question which the hon. Gentleman put to me on the same subject, that the resolution of the Board of Guardians made no reference to the peaceful state of the county, but simply stated what the accommodation of the workhouse was. I have now in my hand a copy of the resolution of the Guardians, which I will read to the House—

> "This board is of opinion that there is no room for troops in the workhouse; and that, if the weather continues as it is at present, there will not be sufficient accommodation for the poor."

MR. FINIGAN: Is there no other statement at the beginning of the resolution?

MR. W. E. FORSTER: Certainly not, Sir.

MR. FINIGAN: I beg to give Notice that I shall ask a further Question on this subject on Monday.

CRIMINAL LAW—MICHAEL DAVITT.

Mr. SEXTON said, he wished to know, At what times and under what conditions Members of the House of Commons would be allowed to visit Michael Davitt?

Sir WILLIAM HARCOURT: Sir, visits to persons in prisons are made under certain fixed rules, and those rules cannot be safely departed from at the instance of any particular class of persons, whether Members of this House or otherwise. I wish to add, however, that, in consideration of the fact that Davitt was suffering from indisposition at the time of his committal, I have, on the application of a private friend of the prisoner, directed that a special visit from that friend shall be permitted, in order that the friends of Davitt may be satisfied as to the state of his health, and that he is not suffering any physical hardship in consequence of his detention. This visit will be of a strictly private character, and under conditions which will preclude the possibility of any communication on public or political affairs.

ORDER OF THE DAY.

* * *

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL—[Bill 79.]

(*Mr. W. E. Forster, Mr. Gladstone, Sir William Harcourt.*)

COMMITTEE. [*Progress 10th February.*]

[SECOND NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Power of Lord Lieutenant to arrest and detain).

Mr. T. C. THOMPSON moved, as an Amendment, in page 1, line 6, to leave out "suspected of having," for the purpose of inserting "believed to have." He did not suppose that the adoption of the Amendment would make any difference in regard to the arrests from that place now spoken of as the most horrible place in the world—Dublin Castle—but which was formerly regarded as one of the most delightful of places. What he wanted the house to consider was that they were now laying down a precedent for the future conduct of Parliament. Bearing in mind the immense influence this country possessed as the home of freedom for refugees from all other nations, it was only natural that we should be looked up to as an example. It was, therefore, undesirable that it should go forth to the world that our Acts of Parliament were built up upon suspicion. The word "suspected" had a very nasty foreign ring about it. He did not know what other hon. Members might think about it; but the use of the word always brought to his mind that great upheaval in France, when the Liberal Party, goaded into terror, were making use of force against their foes. That was a time which might teach us some lessons here, for at that period there was scarcely a single spy, or common informer, or cunning rogue whatever, who, if he wanted to put somebody out of the way, was not able to accomplish his object by whispering the terrible word "suspect." That word, carried along by the winds, soon got into the popular mind, and, goaded into terror, the first cry of the people was "*a la lanterne.*" The state of France at that time ought to teach us a lesson here. He did not wish it to be supposed, however, that we were living in such times as those. God forbid that we should ever have such a period in England; but he could not help thinking that, at the present moment, there was an uneasy feeling of alarm prevailing in the country, and, if possible, it would be well that some assurance should be given to the people of England that there was no such cause for alarm or uneasiness as they imagined. Even in carrying on the ordinary business of life it was found necessary, in the Sister Country, to surround a man with police or soldiers, and to give him an amount of armed protection, which, in this supposed land of freedom, was almost intolerable to bear. He was prepared to argue that at such a time it was necessary to take special care how we built up our Acts of Parliament. As he had already said, the word "suspect" was a very unpleasant word. Not only did it recall to the mind most terrible scenes which had occurred in the history of another country, but it carried back the mind to a time when suspicion was even a terrible element in England itself. From the time of Queen Mary to the accession of James I., the history of the country was stained by persecution and sanguinary deeds, and many of the events which occurred during that period gave us a vivid picture of the dangerous element which "suspicion" became when acted upon under the sanction of an Act of Parliament. Well-known men of the greatest eminence, of the highest respectability, and political character, were carried from their homes to the dungeon, from the dungeon to the rack, and from the rack to the block of the executioner, upon no higher ground than the mere whispered suspicion of probably the worst and most infamous persons in the country. Therefore, he thought, if it were possible, that they should get rid of the word "suspected." At any rate, let them pause before they introduced it into the present Bill. He could understand how it had crept into the Bill, because, in looking over other Acts of Parliament introducing coercive measures, he found the same word used in the Westmeath Act; and, probably from the mere force of habit, persons who were employed in drawing up the clauses of an Act of Parliament were accustomed to copy the phraseology of one measure from that of another, so that a word that was put into an Act by the Government of an earlier day crept into subsequent measures dealing with similar subjects. He was certainly sorry to see such a word employed by the first really Radical Government he had ever known in this country. It would, however, be a disgrace to a Liberal Administration to allow their legislation to go down to posterity tainted with the use of this very unpleasant word "suspicion;" and he therefore proposed to substitute for it a word to which he believed nobody could take objection. In that House they were all of them apt to think well of themselves. They were all agreed that a nobler, more manly, and more outspoken nation than England did not exist on the face of the earth. ["Oh, oh!"] He included his hon. Friends on the opposite side of the House in that remark, because he believed they belonged to the great English nation. He certainly had no intention of excluding them; and he was about to say that in framing their Acts of Parliament they should use words that went home to every Englishman. They wanted to have complete daylight let in upon their proceedings. A witness should be required to stand in the box in order to say what he thought, and not what he suspected. When they placed a man in the witness-box they asked him at once—"Do you believe such a thing to be true?" "What is your belief?" In his mind there was a very wide difference between a mere suspicion and a positive belief. No man would be induced to state solemnly his belief in anything whatever, without putting himself for the time being in the presence of his Creator. He threw around himself a species of solemnity which did not attach to an ordinary proceeding; and, therefore, he (Mr. Thompson) contended that the substitution of the word "belief" in the Bill would give to the clause a solemnity and a binding character which it did not at present possess. But, besides being binding between man and God, it would be something more—when a man spoke to his belief he seemed, as it were, to put his hand on his heart and to say that upon his honour, as a gentleman, he believed what he said to be true. Therefore, having regard to the evil character of the word "suspected," together with its novel nature as compared with the force and effect of the word "belief," he was of opinion that it would be advantageous to substitute the one word for the other, and he begged to move the Amendment he had placed upon the Paper.

Amendment proposed,

In page 1, line 6, to leave out the words "suspected of having," and insert the words "believed to have."—(*Mr. Thomas Thompson.*)

Question proposed, "That the words 'suspected of having' stand part of the Clause."

DR. COMMINS cordially supported the Amendment moved by the hon. Member for Durham (Mr. T. C. Thompson); not that he believed it would do any practical good, because when people were allowed to obtain private evidence, and to get information from persons they would not otherwise trust, and with whom they dare not show themselves to be associated, he was afraid a mere difference in the words which authorized them to act in that way, or any other form of words, would be very little. But, as the hon. Member for Durham said, there was a ring about the word "suspect" that made him not only "suspect," but "believe," the very worst object to be aimed at in introducing it into the clause. There was no doubt, as the hon. Member had pointed out, that "suspected" meant a smaller amount of credence than the word "belief;" that "suspected" might be applied to the smallest possible motive by which a man could be actuated; but he suspected that the word was purposely left wide, so that any amount of belief whatever might be made sufficient. "Belief" would impose a certain amount of investigation, a certain amount of inquiry, and it would impose a certain amount of fair play, and of examination of the evidence tendered; but when it came to mere suspicion, everything in the nature of investigation or inquiry might go to the winds. As the hon. Member for Durham had observed, the word "suspect" once existed in another country. It was employed by the most democratic Government that France ever had; and he was afraid that the so-called democratic Government of this country was now seeking to take a leaf out of the book of France. They were endeavouring to adopt here the principle of "*à la lanterne,*" and it was the duty of the House of Commons to restrain them, and not permit them to act upon so bad a precedent. It was said that the myrmidons of Dublin Castle had followed the precedent of a former law, passed some years ago. Was it necessary that they should go back to that terrible time, and let loose upon Irish society the lineal successors of the Jemmy O'Briens, the Birds, and the Newells, men who were brought up and trained by Dublin Castle as informers? These men had only to point a finger at any man in Dublin, and he was at once consigned to a dungeon, with a similar amount of informality to that which was suggested in the present instance. He should be glad, if only for the sake of the credit of Her Majesty's Government, that the right hon. Gentleman who was responsible for the Bill would point to any Act of Parliament by which any person whatever had been authorized to be imprisoned on mere suspicion. Warm eulogiums were constantly passed upon the liberty, freedom, and love of order enjoyed in this country. In the ordinary procedure at the English Courts, the first or initiatory step in all criminal matters was to apply for a summons or warrant; and no summons or warrant would be granted by any magistrate who knew anything about his business, unless something in the way of evidence was laid before him by some responsible person. The law did not always require that the information should be made on oath in open Court; but it did require evidence of some kind as a guarantee against slander and malevolence. It was necessary that there should be something straightforward and manly about the transaction; but here a premium was offered upon surreptitious malevolence, and upon that vindictive malignity which dare not show itself in the light of day. All honest, open, and fair dealing was to be thrust aside, and the door was to be opened to all the wicked arts of the Irish informer, who was to be told—"You may now gratify all your evil instincts under the sanction of the law of the land." He hoped the Committee would consent to amend the clause by the Amendment which was suggested by the hon. Member.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) was sorry that he could not accept the Amendment. The hon. Member seemed to think that no previous Act of Parliament contained the idea of justifying an arrest upon suspicion. He (Mr. Law), on the contrary, believed there had been no Act of Parliament passed for a similar purpose to the present Bill in which the language was not of the character now objected to. It was simply because there might be reasonable grounds of suspicion, and, at the same time, a difficulty in obtaining sufficient evidence that they required a measure of this kind at all. The series of Acts of this character which had been passed in regard to England or Ireland went back for a period of nearly 200 years, and the word had always been "suspected." If they inserted the words suggested by the hon. Member for Durham (Mr. Thompson) it might be considered necessary that the warrant for arrest should be based upon evidence that would be sufficient to justify the authorities in sending a man for trial, and it was to provide against that necessity that the present Bill was introduced. In reference to the remarks which had been made by the hon. Member who had just spoken, the hon. Member told them the ordinary course in all criminal proceedings was to require some proof to be given before a warrant was granted.

That was quite true; but the whole foundation of the present Bill was that the Government found it impossible to proceed under the ordinary law. It was fully conceded that the ordinary law was not sufficient; and, therefore, the most satisfactory course would be to follow the precedent established by the Acts of Parliament which had hitherto been passed, and which had always authorized arrest and detention upon "suspicion." In the first Act, passed as long ago as 1688, this word would be found.

MR. GRAY had quite anticipated that the right hon. and learned Gentleman would express his regret that he could not agree to the Amendment suggested by the hon. Member for Durham. But the discussion, though brief, had not been without its use, because, in the speech of the right hon. and learned Gentleman, was afforded a specimen of the Government policy, which was not without its instructive point. He should be very curious to see how the right hon. Gentleman the Chief Secretary would express his views on the matter, in order to ascertain how far he would coincide with those which had been delivered by the Attorney General for Ireland. The House would remember the speech of the right hon. Gentleman the Chief Secretary in moving the second reading of the Bill, in which he stated that he knew all the *mauvais sujets* and dissolute ruffians—that he could lay his hands on them—not that the police believed they knew them, but that they actually did know them. Now the matter was brought to the test, not of speeches in that House, but of the words of an Act of Parliament, Her Majesty's Government would not commit themselves to a belief that they did know these men. "Suspicion" was all that they meant. The right hon. Gentleman the Chief Secretary asked the House to believe in his assertion that he and his officials knew the perpetrators of these outrages, and that in every village in Ireland they could be in the hands of the police to-morrow; all that stood in the way being the difficulty of bringing them into a Court of Justice, owing to the want of evidence and the impossibility of getting a jury to convict. He had only risen to remind the House of the discrepancy between the statement of the Chief Secretary and of the Chief Law Officer of the Crown.

MR. FINIGAN thought that the right hon. Gentleman the Chief Secretary for Ireland ought, at all events, to say something to "compromise" what had been said by the Attorney General for Ireland. Her Majesty's Government had latterly been in the habit of playing see-saw with every question that affected Ireland. One day they told the House that it was the Land League that was to be judged by the Bill; another day it was the people who were guilty of inciting to agrarian outrages; and now they found that it was really aimed at treasonable practices, or at the people who were suspected of them. The hon. Member for Carlow (Mr. Gray) had pointed out the wide distinction between what had been said by the Chief Secretary and what had been said from his first entrance into the House since the Bill was introduced by the Attorney General for Ireland, who appeared to be much opposed to everything that was just and generous towards the Irish people. He (Mr. Finigan) did not think the substitution of the word "belief" for "suspicion" would be of any great value; but, after all, he thought there ought to be some modification of the unfortunate word "suspected." It did not follow that because people had used wrong words in the past, they should continue to use wrong words now. Occasionally a custom was "much more honoured in the breach than in the observance," and he thought the Chief Secretary would be acting wisely if he attempted to put the matter in a better, straighter, and different form. For his own part, he should have preferred that the whole question should be left in the hands of the Chief Secretary, rather than contaminated by the interference of the people in Dublin Castle.

MR. W. E. FORSTER: The hon. Member for Ennis (Mr. Finigan), in asking me to "compromise" my right hon. and learned Friend the Attorney General for Ireland, is asking me to do that which I do not feel inclined to undertake. I do not think it would be difficult to reconcile the statement made by my right hon. and learned Friend with that which I felt it my duty to make. I must express my gratitude to the hon. Members who have spoken in support of the Motion of the hon. Member for Durham; at their willingness to place my belief, or that of the Lord

Lieutenant, in the place of reasonable suspicion. I should have thought that on the whole some of them might have considered suspicion, coupled with the adjective "reasonable," would have been a better guarantee than the belief of any individual. All I have to say is simply this, that if we were to substitute the word "belief" for "reasonable suspicion," we should go a long way towards destroying the object and intent with which the Bill has been introduced. Undoubtedly, the clause would be interpreted to mean such a belief as would be considered justifiable in a Court of Law.

Sir JOSEPH M'KENNA really thought that the right hon. Gentleman might concede this Amendment. All that was asked was that the warrant of the Lord Lieutenant should be based on his belief that the person accused had been guilty of treasonable practices—that those who issued the warrant should have some belief that the suspicion was well-founded. No one would know anything of the persons who came forward to prefer the charges, and all that was required, in substituting the words of the hon. Member for Durham for those in the Bill, was that before a warrant was issued the persons issuing it should believe that the story told by the police, or by any other informer, was true. After the explanation which had been given by the right hon. and learned Gentleman the Attorney General for Ireland, he thought it was most important that these words should be substituted. The right hon. and learned Gentleman went so far as to imply that a warrant might be issued against a person who was not really believed to be guilty of the crime charged, but who was reasonably suspected by some person or other to be guilty. A man might go to him (Sir Joseph M'Kenna), and tell him that the hon. Member for Cavan (Mr. Biggar) or any other hon. Member was reasonably suspected of designing to do something that was very treasonable, and might give him his reasons for his suspicion. The suspicion might be, according to the view of the man who made the charge, reasonable; but if he (Sir Joseph M'Kenna) were to issue a warrant upon such information, he conceived that he would then be declaring his be lief that the suspicion was well-founded.

Mr. W. E. Forster

Mr. CALLAN thought that some assurance was required by the House, in the shape of a declaration by some Minister of the Crown — the Prime Minister or the Chancellor of the Duchy of Lancaster—as to the course that would be taken before a warrant was granted. The Irish Members did not place the slightest reliance upon the right hon. Gentleman the Chief Secretary or the right hon. and learned Gentleman the Attorney General for Ireland; but, notwithstanding what had passed, they had some confidence still —["No, no!"]—at least, he had, in the Prime Minister and the Chancellor of the Duchy of Lancaster. He, therefore, thought it only fair that the House should have some assurance from them as to the mode in which these warrants would be issued. Were they to be issued on a mere verbal information? If a man went to the office of the Chief Secretary, and told him that such a person was a frightful person, and was guilty of treasonable practices, would that be deemed sufficient? The House ought to have some assurance on the subject, by being told how the warrants would be issued. Would they be granted on the faith of a story conveyed in an an underhand manner in regard to which there was no time to obtain confirmatory evidence, or would no man be arrested except upon sworn information or a statutable declaration? ["No!"] He was not asking his hon. Friends behind him, but was putting the Question to the Government—to the Irish Executive. Would, he asked, the warrants be issued on informations on oath, or a statutory declaration—upon any written information, or with any record as to the grounds of suspicion? If they were not to be issued on sworn information, or a statutable declaration, would they be issued upon the stories told by private constables, or by one of the "Boycotted" landlords, without confirmation? Would they be issued at the mere behest and will of some understrapper behind the scenes in Dublin Castle, or only upon the information of the sub-inspector, or resident magistrate, or county inspector, or some other responsible individual? That would be more re-assuring than even the substitution of the words "believed to have been guilty" for the words "suspected of having been guilty."

MR. J. COWEN said, he supported the Amendment of his hon. Friend the Member for Durham (Mr. T. C. Thompson) with great pleasure. He did not expect the Government would accept it, as he never supposed they would accept any Amendment of a liberalizing character. But the fact of its being submitted would enable some few on that side of the House—who had not entirely abandoned all sense of fidelity to Liberal principles—to record their vote once more against the odious measure of the Ministry. The Amendment would probably not largely affect the operation of the Act when it passed. Whatever its phraseology, the fact was that the Government were obtaining by the Bill despotic powers. How they would use those powers remained to be seen. But, for his part, he distrusted them as absolutely as he would do any Government that got such tyrannical authority. It was not, however, so much in the sense of serving Ireland that his hon. Friend had moved the Amendment as for the sake of the British House of Commons. The word "suspect" conveyed a most unpleasant meaning. It involved the use of spies and all the infamous agencies of despotism. If the word was altered, at least the record of the House of Commons, and, to some extent, the reputation of the Liberal Party would be saved. The right hon. and learned Gentleman the Attorney General for Ireland (Mr. Law) said the same word had been used in previous Acts. But that was no recommendation. If past Parliaments had made use of the obnoxious phrase, that was no reason why the present one should do so. They had altered a great many useful provisions of former Parliaments recently. They had restricted some of the most treasured privileges of that House, and they might with greater propriety deviate from a custom that had even the authority of the time of the Stuarts to support it.

MR. T. D. SULLIVAN thought the substitution of the words proposed by the hon. Member for Durham would be a decided improvement, because they had never yet been informed who was to do the "suspecting" in the case. What class of people were to be the "suspectors," and who was to be the judge of the reasonableness of the suspicion? Now, he believed that the people who would do the "suspecting" in Ireland would be the persons who had been hitherto engaged in writing threatening letters and cutting off cows' tails. Heretofore they had been engaged in carrying on their dirty work in the dark, and hereafter they might also be engaged in the dark in cutting off the liberties of honest Irishmen. He was of opinion that the effect of the measure would decidedly be to demoralize the Irish people. They wanted in Ireland, as was wanted in every other country, a manly courage and open candour; but these qualities were not encouraged by this miserable and detestable measure. It encouraged qualities which were the very reverse. It taught people to suspect one another; one man would go and carry his tale of suspicion to the policeman, and men who knew not what they were accused of would be cut off from their homes, taken away from their families, and immured in a gaol for 18 months. And then what would happen? The people would begin to suspect one another. Everyone who felt himself in danger would begin to suspect his neighbours, perhaps, very unjustly, of being the persons who had denounced others to the authorities, and would believe that they would probably denounce them in their turn. Now, that would be a highly objectionable state of things, and he urged that it would tend to demoralize the Irish people, to bring them down in the scale of morality instead of doing anything to elevate them. Moreover, he believed the existence of such a state of things would eventuate in crime and outrage; for he believed that persons who were suspected of having "suspected" others and of having denounced them would reap the vengeance of people who believed that they themselves would be subjected to outrage at some time or other. He was of opinion that a whisper conveyed to the ears of a policeman or a magistrate was too light a thing on which to sacrifice the liberty of any man for 18 months. Let their object be to strengthen the hands of the authorities as much as possible; and if they were not to have sworn informations, let them go in a straightforward manner and declare that there must be very little ground for suspicion. There ought to be some substantial ground for belief before they consented to deprive a man of his liberty. It would be most unjust to condemn thousands of Irishmen to the chance of imprisonment on the mere hazard of an unfounded suspicion. He wished, therefore, to be informed who was to be the judge of the reasonableness of the suspicion. Upon these grounds, he thought the Amendment moved by the hon. Member for Durham would be an improvement, although it was not a very large one. It would, however, be an improvement, and, therefore, he would give it his support.

Mr. BIGGAR wished to say a word or two in confirmation of what had been stated by his hon. Friend the Member for Louth (Mr. Callan) in regard to the position in which the Irish people would be placed by the Bill in its present shape. The question now raised by the Amendment was one which required the Government to give to the House more information than they had yet given. They claimed the right of imprisoning any person whom they might reasonably suspect to be guilty of treasonable practices; but as yet they had given no information at all with regard to the nature of the offence which was to constitute a reasonable suspicion. He thought Her Majesty's Government ought to agree to the Amendment. There ought to be some kind of belief in the truth of the charge. A mere suspicion amounted to nothing. A person might go to the Chief Secretary or to the authorities in Dublin Castle and say, "Oh, I suspect So-and-so;" and on the faith of that suspicion a third party, who could know nothing whatever about the case, was to issue a warrant which would deprive a man of his liberty. A better course would be to declare that no man should be sent to prison unless there was satisfactory evidence of his guilt. It would not be sufficient to act upon a mere *ex parte* statement. They should bring the accuser directly before the accused, instead of sending a man to prison upon the barest suspicion. The hon. Member for Louth said he still had confidence in the right hon. Gentleman the Prime Minister and the right hon. Gentleman the Chancellor of the Duchy of Lancaster. He (Mr. Biggar) had no such confidence in those right hon. Gentlemen. He had not the slightest confidence either in one or the other.

Dr. LYONS was of opinion that when such very stringent powers were going to be given, the Government might fairly make some concession in so important a matter. In his opinion, neither of the words proposed was satisfactory; and he would suggest that the word "shown" should be introduced. The right hon. Gentleman the Chief Secretary said that the Lord Lieutenant and the authorities would carefully consider the reasonableness of any charge, and that there must be incidents connected with it that would make the reasonableness of the suspicion apparent. But anyone who was acquainted with the working of these Coercion Acts in past years must know that the decision did not rest with the Chief Secretary or the Lord Lieutenant. Therefore, when the words were that the person charged must be reasonably suspected by somebody who was not named, he thought it was not unreasonable to ask the Government to alter the clause in such a way as not to interfere with the working power of the Act, but, at the same time, to make a graceful concession to the demand made by the House. It was consistent with his own knowledge of facts that persons had been taken up on suspicion against whom no grounds had ever been shown. The right hon. Gentleman the Attorney General spoke of the words "reasonable suspicion" having been introduced into other Acts. That was all very well where a man would be immediately brought to trial and have an opportunity of proving his innocence; but the present measure conferred an indisputable power of arresting any man on mere suspicion, and keeping him in prison for a lengthened period without bringing him to trial, in a case where the Lord Lieutenant or the Chief Secretary could not possibly have any personal knowledge. When it was proposed to confer such sweeping powers upon individuals, it was not at all unreasonable that it should be shown, to their satisfaction, that there was a reasonable ground for issuing a warrant, and that they should not act upon a mere suspicion, which might be unfounded. As he had just said, from his own knowledge of the working of these Coercion Acts, he believed there had been numerous instances in which individuals had been arrested against whom no charge whatever could be sustained, but who were not discharged until after a long period of detention, He appealed to the Government to make some concession in the matter.

Question put.

The Committee *divided:*—Ayes 269; Noes 58: Majority 211.—(Div. List, No. 32.)

MR. DILLWYN said, in all cases of political excitement or commercial and agricultural distress many offences, including those of an agrarian nature, were committed, which gave rise in the public mind to great alarm. At those periods State prosecutions were instituted, and persons were sometimes convicted and imprisoned. Nevertheless, it was always to be seen, when these disturbances had passed away, when political excitement had been allayed and distress relieved, and when the public alarm had ceased, that there was an immediate re-action in favour of the prisoners, and a desire that their sentences should be either relaxed or altogether remitted. In short, there was a general disposition to grant an entire amnesty. For his part, he thought it right that under such circumstances pardons should be granted, and the amnesty extended as much as possible, because by that means peace was much more likely to be secured than by keeping alive the remembrance of grievances. But this could not be secured by keeping alive the power of sending persons to prison, and it was his hope that the country, when tranquillized by the measures of the Government, would forget and forgive. He objected to any retrospective action under the Bill with regard to agrarian offences; at all events, there should be some limit. But the Bill contained no limit whatever with regard to the past. It allowed the Government of the day to go back upon the career of a man for years past; their information might be upon acts done years before, which, in itself, would render it difficult to get direct evidence. It was, therefore, unwise to keep up the sense of injury and injustice which the exercise of this retrospective power would engender. Moreover, real injustice might be done by the Government being unable to get true evidence of what had been done in former times. Hon. Members well knew how difficult it was to get reliable evidence of what took place at public meetings, or of what had been said by hon. Members a year ago. That being the case, he felt a strong objection to the retrospective action of the Bill, and thought it should be limited. The Amendment he was about to move was only a prelude to one which, if adopted, would limit the operation of the Bill to acts which took place after its introduction. He hoped the Government would see their way to meet the wishes of himself and his hon. Friends in this respect, who, he could say, had voted for the Bill up to the present stage with the greatest pain and reluctance. He would add that they would not have voted for the introduction of the measure at all had it not been for the great confidence they felt in the right hon. Gentleman at the head of Her Majesty's Government. He believed, also, that many hon. Members felt great objection to the introduction of retrospective action into a Bill of this kind. The support which, notwithstanding these objections, he and other hon. Members had given to Her Majesty's Government constituted, in his opinion, a claim and a right to make an appeal to them to make some concession in this respect. He, therefore, as an Amendment, proposed, in page 1, line 6, to leave out the words "either before or," in order to enable him, at a later period, to move some limit behind which Her Majesty's Government could not enforce the very arbitrary and even dangerous provisions of this Bill.

Amendment proposed, in page 1, line 6, to leave out the words "either before or."—(*Mr. Dillwyn.*)

Question proposed, "That the word 'either' stand part of the Clause."

THE CHAIRMAN: Although, technically, the Question is that the words "either before or" be left out, this Amendment actually raises the discussion, and involves the decision, of the retrospective operation of the Bill.

MR. W. E. FORSTER said, after the speech of his hon. Friend, he must explain the grounds on which this portion of the Bill rested a little more in detail. He believed he could say, without fear of contradiction, that the form of the Bill was precisely the same as that of previous Acts of this kind. He objected to the application of the word "retrospective," which, when applied to legislation, generally gave the impression that a new offence had been created, or a new punishment enacted. That, however, was an entirely unfounded supposition. If they were creating new offences and new punishments by the Bill, there might be the strongest objection to applying it to offences committed before the passing of this Act; but Her Majesty's Government were simply taking power to arrest persons suspected of being actually guilty of certain offences. The general notion of retrospective legislation did not apply to such an enactment as that. But his hon. Friend seemed to think the Act might be used for the purpose of going back far into the past, when proof of acts committed would be very difficult to obtain; and he had, in the course of the debate, heard allusions to gentlemen engaged in political disturbances many years ago, who, it was said, might possibly be arrested under this Bill. He need not say that such was not for a moment in the contemplation of the Government; and he would assure his hon. Friend the Member for Swansea that the powers of the Bill would not be used in any such way. Nor could he suppose that hon. Members who had voted for the second reading of the Bill believed that it would be applied to such a purpose. For his own part, he should be sorry to be supposed to take such a power. Still, he could quite believe there might be some persons who felt on this point a reasonable although unfounded alarm. His hon. Friend had truly said that with regard to all political offences, when the excitement was over, there had always been a general feeling in this country in favour of an amnesty, The Government shared that feeling very strongly; though there was a wide distinction between political offences and most of the offences to be dealt with under this Bill. The chief object of Her Majesty's Government was to prevent outrages, and incitement to outrages; and, therefore, they did not want to take a power beyond their immediate and actual necessity. They desired no more than the power which they conceived to be necessary to enable them to arrest and prevent the commission of outrages, or the incitement to their commission, by men whom they believed, on reasonable suspicion, to have been concerned either in actual outrages, or incitement to them This power was not wanted for the purpose of punishment, for, if that were the case, imprisonment for 18 months would not be sufficient, but to prevent persons continuing to commit outrages. If, therefore, this power were limited in its operation to offences committed after the passing of the Act, he did not think they would succeed in their endeavours at prevention, for, in that case, Her Majesty's Government would have to wait until an outrage was committed before they could bring in their preventive powers. But what the Government desired was at once to prevent the commission of outrages; and he believed that one of the chief causes of the diminution of crime which had, happily, taken place in Ireland was that the consciences of those who had committed it were alarmed, that they were afraid, and were acting very carefully in consequence. Not wishing to go further back than they could possibly help, Her Majesty's Government had to consider whether they should have any limitation at all, and, if so, what the limitation should be. The hon. Member for Swansea had not pledged himself to any date, but had referred to two dates, neither of which the Government could accept. He thought, however, they could adopt the 1st of October last year. The reason why he named that date was that the very great increase in the number of outrages came immediately after the 1st of October last. They sprang up from 84 in July to 103 in August; 168 in September; 269 in October; 561 in November; and 866 in December. Those who thought they ought to have a Bill of this kind, and who disliked the odium and discredit of being obliged to pass it — for it was, indeed, a discreditable thing that the state of the country should render necessary a measure which they so intensely disliked—those, he said, who thought such a Bill must be passed would, he was sure, also be of opinion that it was of no use doing that and not doing it effectually. Hon. Members who had that feeling would see that a man who had been prominent in the outrages committed in October, November, and December, was probably the man whom they ought to lay hold of and prevent from committing them for the next 18 months. The number of outrages committed during the last three months of 1880 was 1,696 as compared with 894 in the previous nine months. That was the ground for taking the date named, which, he thought, would be a reasonable limitation. If, as he believed, this would be acceptable to the majority of the Committee, without accepting the Amendment of the hon. Member for Swansea, which Her Majesty's Government were unable to agree to, he pledged himself, either on Report or on the Third Reading, that such limitation should be proposed.

MR. GRAY reminded the Committee that the Chief Secretary for Ireland, notwithstanding his intense dislike to this Bill, had on every division voted for the most stringent of the provisions of the Westmeath Act and the Peace Preservation Act of 1870. The right hon. Gentleman showed a great facility for doing what he so intensely disliked. How many previous Acts of the kind he had not voted for he knew not; but since those referred to he had supported every measure of coercion for Ireland. The right hon. Gentleman had stated that, in proposing this retrospective clause without limit, he was following precedents; but it would be found that in the Westmeath Act a limit of time was imposed. That Act provided—

> "That where any person suspected of having committed any crime under the direction or influence of the said Ribbon Society, or who on the 1st of January, 1871, or any subsequent date," &c.

It, therefore, only went back to the 1st of January, 1871; and in subsequent phrases of the same Act reference would be found to persons suspected of committing crimes after the passing of the Act. He, therefore, trusted the right hon. Gentleman would, by a further concession, fix the date in the present Bill at the 1st of January, 1881. It would not be much to make this further concession, and to fix the time of punishment of these persons to a period somewhat conterminous with the date at which Her Majesty's Government had announced their intention of bringing in a measure of this kind.

MR. WARTON said, one of the very few important points in the Bill was the time during which its action should take place. Her Majesty's Government should have made up their minds upon this point, if they meant to insert any date at all. The omission to do this showed, in his opinion, great weakness on the part of the Chief Secretary for Ireland, and he trusted he would not rashly conclude that the limitation he proposed would meet with the approval of the majority of the Committee. He had thought the right hon. Gentleman had screwed up his mind to a little temporary firmness; but his resolution was fast disappearing, and he now showed great weakness. There was no Statute of Limitations with regard to crime. The Government had brought in a measure absolutely indispensable to the peace of Ireland; and, therefore, for his part, he protested against any limitation of its action whatever. If its action were limited to the date named, a daring member of the Land League, an inciter to outrage, by the advice he gave before the 1st of October, might have urged some "cat's-paw" to commit an outrage on the day after the 1st of October, and in this way he would escape, while the "cat's-paw" would be punished. The conspiracy began in Ireland before the 1st of October, and it was necessary that persons, who long before that date had incited others to the commission of crime, should be detained as long as possible. He could not but regard the concession of limitation as great weakness on the part of the Chief Secretary for Ireland.

MR. RYLANDS said, he agreed with every word that had fallen from his hon. Friend the Member for Swansea; and while he could not but regret Her Majesty's Government had not limited the operation of the Act to the 1st of January, he was bound to admit that they had acted in a fair spirit. He trusted that Her Majesty's Government would not hesitate to accept any reasonable proposals that might be made. He could quite understand that hon. Gentlemen opposite should look with some dislike on a limit of the kind which had been proposed by the right hon. Gentleman. He presumed, however, that the hon. and learned Member for Bridport had only spoken for himself, and had not expressed the opinion entertained by right hon. Gentlemen on the Front Opposition Bench.

MR. JUSTIN M'CARTHY did not know whether the majority of the House would accept this alteration; but as for himself and those with whom he acted, it would be impossible for them to accept it or be contented with it. The

Chief Secretary had said that his motive in accepting the limitation was rather to prevent the commission of further outrage than to punish past outrage; but he declared that it was important that the Government should have power to punish those who had incited to crime. Well, but if the right hon. Gentleman and his officials knew that people had been and were inciting to these outrages, why had they not exerted their powers and placed them under arrest? Surely the ordinary law was always powerful enough to enable the Government to arrest men known to be inciting to the commission of crime; but if the right hon. Gentleman had not known these people hitherto, by what process of divination did he propose to get at them by his retrospective measure—by what process of divination was he going to make certain of arresting the men who were really guilty? He (Mr. Justin M'Carthy) should like some explanation on this point before he, at least, could agree even to the limitation proposed. The right hon. Gentleman had dwelt on the point that this enactment would create no new crimes, and perhaps, in a strictly lawyer-like phrase, it did not create any new crimes that were not to be found in the Statute Book; but, practically, he found that it distinctly created a new crime—the crime of being suspected of having done something wrong. For the crime of being suspected, of which he could become guilty before the passing of this Act, a man might be arrested and cast into prison for a year and a-half. The right hon. Gentleman said that this would not be an imprisonment, but only a detention. He fancied a man—especially an innocent man—who was cast into prison for the crime of being suspected, might be well excused if he failed to see any very material difference between detention and imprisonment. All this assumption that the right hon. Gentleman would only use this power to arrest men believed, or known, to be guilty of inciting to the commission of an offence, and none others, they had to take beforehand on the assurance of the right hon. Gentleman himself. In all his speeches on this question the Chief Secretary seemed to ask them to go on the confidence principle—give him unlimited power, and they might trust to him not to abuse it. The right hon. Gentleman reminded him of the gallant in one of Shakespeare's plays, who went into a tavern, unbuckled his sword, laid it by the side of him, and said, "God send I may have no use of thee," and, before he had drunk a second cup, had drawn the sword on his next-door neighbour. He was inclined to think that the Chief Secretary—under the pressure of those around him who were ready to force his hand, or under the pressure of some excitement—having prayed that he might have no need to use his weapon, would the next moment be inclined to draw it upon hon. Members in that House. They had seen already how he could be forced on by some influence or other to make use of a power which he himself had previously declared it was not his intention to use. Not many days since, in answer to an hon. Member, the right hon. Gentleman had said it was not intended to arrest Michael Davitt, or recall his ticket-of-leave——

Mr. W. E. FORSTER: I must contradict that statement.

Mr. JUSTIN M'CARTHY: Surely, the right hon. Gentleman said that up to that time he had seen no reason to arrest Michael Davitt?

Mr. W. E. FORSTER: Perhaps the hon. Member will allow me to say that I concluded my answer by saying that he would be most carefully watched.

Mr. JUSTIN M'CARTHY said, no doubt, the right hon. Gentleman had said that Michael Davitt would be "most carefully watched;" but nothing that they had since heard, or could discover, had in any degree broken the conditions upon which Davitt held his ticket-of-leave. All that he appeared to have done had been to make one or two speeches which might have met with the disapproval of the Chief Secretary. Then, under the Bill, if it were retrospective, even to the 1st October last, what reason was there to believe that the right hon. Gentleman might not arrest any or every man who had made a speech on a Land League platform since that time? They had no reason to believe it, and they could have none. The right hon. Gentleman had no security himself. He did not know to-day what—owing to pressure put upon him—he would have to do to-morrow. Look at what the Act created. It was not merely a person guilty in any prescribed district of any act of violence or incitement to outrage who could be arrested, but anyone suspected of being guilty—

> "As principal or accessory of high treason, treason-felony, or treasonable practices, wherever committed, or of any crime punishable by law committed in a prescribed district, being an act of violence or intimidation, or the inciting to an act of violence or intimidation, and tending to interfere with or disturb the maintenance of law and order."

How did they know that any speech whatever made on a Land League platform since 1st October might not be construed by the right hon. Gentleman and his Advisers into something "inciting to an act of violence or intimidation," or "tending to interfere with or disturb the maintenance of law and order?" This left an extravagant power in the hands of the officials, and would give them power to arrest anyone who had made any kind of speech which, however guarded in its language, might seem to them to have supported the Land League agitation, and so, in the words of the Bill, to have interfered with or disturbed the maintenance of law and order. If such powers were to be given at all, they should be strictly limited to the time after the Act came into operation; because it was evident that, during the past three months, many men might have made speeches in which they had not the slightest intention of breaking the law, but which the right hon. Gentleman and his Advisers, by the *post facto* application of the Act, might look upon as bringing the speakers within the provisions of the measure. If this power was to be given at all—and it was an extravagant power to give under any limitation—it ought, at least, to be made wholly concurrent and co-extensive with the Act itself, beginning when the Act began, and not going back and creating offences which were unknown before the Act came into operation. He had heard a great deal through the whole course of this debate about the acts which it was intended to put a stop to by this measure being acts of agrarian outrage; but the Bill took into consideration also acts which came in the order of treason-felony, and which included any manner of speeches that might seem to incite, even in the remotest degree, to a breach of the law. It was clear that, under the Bill, it would be in the power of the Chief Secretary to arrest for merely political speeches—speeches intended to bring about by Constitutional means a change in the law, but, it might be, characterized by language somewhat vigorous and by a kind of strength and earnestness common to many, and especially to speakers not at all trained, or of great political culture. They gave, by this Bill, power to the Chief Secretary to arrest anyone whom he might consider a dangerous agitator, merely from the fact that he had made a speech in favour of the Land League which they might believe tended to bring about breaches of the law. No doubt the right hon. Gentleman would be free to arrest anyone who had taken any part in any previous movement in Ireland of an agitating and violent kind. He did not suppose the right hon. Gentleman would go so far as to arrest such a man as Sir Charles Gavan Duffy; but they must remember that when that gentleman was to the fore the history of Ireland was one of attempts, more or less, at violent changes. These attempts had been shared in by men, then young, who since might have changed their opinions, and were desirous of effecting alterations in the law, and they were as law-abiding citizens as any hon. Members in the House. Yet, anyone who had taken any part—in however remote or humble a manner, and however touching merely their outskirts or fringe—in these movements would come under the operation of the new law. Those who had taken part in the different Fenian movements, who years ago had left their country but had since returned to it, would come under its operation if they had come over from America since the 1st of October and had remained. This was a power which certainly, without strict limitation ought not to be placed in the hands of anyone. Someone in the course of the debate had said that there were a good many Irish Americans in Ireland who would be induced to leave the country when this Bill came into operation. He wished to know whether the right hon. Gentleman wished to arrest these persons before they left the country, and whether, with all his difficulties and complications, he wished to incur fresh complications with the United States with regard to some of their naturalized subjects? During the Fenian agitation American subjects were arrested, and one, at least, who was taken and charged with the gravest offences was, owing to the intervention of the American Government, released, although to ordinary lookers-on there was no reason why he, more than any others, should be set at liberty. The Naturalization Laws would still further increase the right hon. Gentleman's difficulties, for any American subject arrested would naturally appeal to the United States Government, and the Chief Secretary would find a variety of other complications to be met in addition to those already surrounding him. He (Mr. Justin M'Carthy) would counsel the right hon. Gentleman, if he wished to lessen these difficulties, to build a bridge between Ireland and America to facilitate the departure of American subjects from Ireland when the Act came into operation. For his own part, he (Mr. Justin M'Carthy) did not think that the attempt at a compromise made by the right hon. Gentleman was in any degree satisfactory. He felt bound, and he trusted that his hon. Friends who sat near him would feel equally bound, to resist this extraordinary power, or any limitation of it. They were bound in these discussions to assume that any power with which they entrusted any Government would be exercised in the most arbitrary and despotic manner. It was not for them to pass Acts of Parliament which, however indefinite and vague they might be in their powers, would only be harmless if they were not exercised; and it was not for them to go on the principle of compromise, and pass a bad Act of Parliament because they had a good Chief Secretary in whose hands it was said to be safe to entrust these powers, because no harm would be done. They must examine every clause of the Bill as carefully as though they were certain that the moment it passed into law its provisions would be enforced by a most arbitrary and despotic official.

Sir STAFFORD NORTHCOTE: I thought it would be right, especially after the observations of the hon. Member for Burnley (Mr. Rylands), to say in two words what my own feeling, and the feeling of those who sit about me, is on this matter. We have consented to support the proposal of Her Majesty's Government on the ground that we consider the responsible Government of the Crown bound to bring forward such measures as they believe to be necessary. When the case is made out sufficiently for the satisfaction of Parliament, I think it is our duty to give to the Government such measures as they on their responsibility declare to be necessary, for a purpose which they have stated and which we have admitted to be necessary. I quite think that the loose phraseology of this Bill was such as to challenge attention, and I could not help agreeing with the hon. and learned Gentleman behind me (Mr. Warton) that it was a pity that there was not more precision in the first statement; but inasmuch as the Chief Secretary now tells us that the date he proposes—the 1st October—will cover the period over which he thinks it is necessary that he should have power of action, I think we have nothing at all to do but to say that we entirely accept the proposal, and that, on the responsibility of the Government, we are perfectly prepared to agree to the Amendment.

Mr. ARTHUR ARNOLD said, attention should be given to what was really an important concession made by the right hon. Gentleman. As the measure stood, the provisions would be absolutely limitless in their operation. He had no doubt Her Majesty's Government, in asking for that limitless operation, acted from a well-founded consciousness of their intention as to the exercise of these extraordinary powers. They knew they would be masters of the operation of the Act, and were confident that they would use it with justice and moderation. No Member of the Government was more confident of that than he was; but in matters of this sort they had to think of precedent, and he must say, for himself, that if he were to be in any way responsible for this measure, he should be careful so to limit the scope of its operation, that no person could be affected by it who had not received due notice that he would come under its provisions. In consequence of this opinion he had put an Amendment on the Paper, proposing that the powers contained in the Bill should not extend back beyond the 1st of February, 1881. The Chief Secretary had introduced the Bill on the 25th of January, and he considered that due notice to all concerned would be given within the lapse of a week from that period. The Chief Secretary for Ireland had made a statement with regard to former Acts of Parliament, which had been challenged by the hon. Member for Carlow County (Mr. Gray); but his hon. Friend appeared to be incorrect in his exposition on the subject. It was a fact that the Westmeath Act of 1871 was, to a certain extent, retroactive, for the Act said that—

> "Any person being a Ribbonman, who was, or had been, either the principal in or an accessory, before or after the Act, to any violence, or the principal in any misdemeanour, committed or deemed by the Lord Lieutenant to be reasonably suspected to have been committed under the direction, or committed under the influence of the said Ribbon Society," &c.

This showed that the Act was retroactive. ["No, no!"] Well, he said "Yes, yes!" As to the Acts of 1848 and 1866, they were in a very slight degree retroactive. They were retroactive in regard to those persons who were in prison at the time of the passing of those Acts—that was to say, those persons could be detained without trial on the warrant of the Lord Lieutenant. He should, however, very much prefer that this measure should operate from the 1st of February, at which time notice would have been given to all concerned. But he could not forget the words used by a Friend of his, a most distinguished Member of this House, in 1866—he meant the late Mr. John Stuart Mill—who said, on an occasion of this sort, speaking of Ministers, at the head of whom in the House of Commons then, as now, was the right hon. Gentleman (Mr. Gladstone), "They are responsible, I am not." He disliked very much that there should be any retroactive character in a measure of this sort, and the concession made by the Chief Secretary did not meet the question of principle in any substantial degree. The House had heard the hope expressed by his right hon. Friend, the other night, that "this was probably the last Coercion Bill." He hoped it was the last; yet he could not but remember that—

> "From the Lord Lieutenant down to the youngest policeman, the whole official body in Ireland had been taught to rely too much upon British power."

Those words were the most memorable, the most important and significant words concerning Ireland that he had heard since he entered Parliament. Those words of courage and wisdom had been spoken by the Chief Secretary, and they did not, to his mind, encourage a strong hope that this was the last Coercion Bill Parliament would have to consider; and it was because he could not confidently believe that this was the last Coercion Bill, that he was extremely anxious to see it characterized by a principle which, he was afraid, would not be found in the measure.

DR. COMMINS said, that, so far as he was concerned, he agreed with several other hon. Members, with whom he had the honour to think and act, that they could not accept any such compromise as that offered by the Government. He was surprised at the arguments which had been advanced in support of the present wording of the Bill. The right hon. Gentleman the Chief Secretary said the measure was not retrospective, and, seemingly, he wished hon. Members to give up their common sense to him, as the hon. Member for Swansea (Mr. Dillwyn) confessed he and others had given up their convictions to the Government, and had voted for that in which they did not believe. He had never heard since he had been in the House such an avowal as that of the hon. Member, that men were to vote in this House against their consciences; but, however hon. Members in that corner of the House occupied by the hon. Gentlemen to whom he referred might yield their convictions to the Chief Secretary, he (Dr. Commins) and his Friends did not intend to do so, neither did they mean to surrender their common sense, as the hon. Member for Bridport (Mr. Warton) had done. The last-named Member had given up his common sense, for he had actually treated them to the argument, that because a man could be convicted of an actual offence 20 years after it occurred, the Bill which only proposed to convict and punish for that which was not an offence at all at the time it was committed, was, therefore, not retrospective. The hon. Member seemed to have forgotten the difference between the past and the future, and he would recommend him to inform his mind as to the distinction. The Chief Secretary had said not only that the Bill was not retrospective, but that it created no new offence; and he should have been very much surprised to have heard such a statement as this come from anyone who had any knowledge of the law. The right hon. Gentleman, however, was not a technical lawyer; therefore, he did not see how—he would not say absurd, because that would be disrespectful, and he did not for a moment wish to be so—singularly devoid of that technical knowledge of the law which lawyers were supposed to possess was this assertion. The Bill did create new offences. He should like to know what were "treasonable practices?" Where did they occur in any Act of Parliament as an offence? Whoever was indicted for "treasonable practices?" They knew what treason was——

The CHAIRMAN: The hon. Member is discussing a new and subsequent part of the Bill, which he is not entitled to do.

Dr. COMMINS said, he was merely meeting the arguments of the Chief Secretary, who had urged that the Bill created no new offences. He (Dr. Commins) maintained that it did create new offences, and he was pointing out what he considered the creation of a new offence in this section of the Bill, and, if now ruled out of Order, he trusted that later on he should have an opportunity of dealing with the point. If still in Order, however, he would say that "treasonable practices" was no offence; that no man had ever been convicted on such a charge, and that it was not to be found as an offence in any legal text-book. There was another new offence created by the Bill. The law of the land did not recognize an offence committed outside its jurisdiction; but, most extraordinarily, this Bill recognized not only an offence committed outside the jurisdiction of the law, but the suspicion of such an offence. He could go through the whole of the section, and point out similar divergencies from the interpretation that the Chief Secretary put upon it. The right hon. Gentleman said the object of the measure was not political; and if that were so, he should like to ask what was meant by referring to "treasonable practices," when all that was sought was to put down agrarian outrages? Why was not the measure confined to these agrarian outrages? The right hon. Gentleman had said that these outrages had been committed since the measure was brought in; that they had increased from October to January, but had since diminished. Well, it was open for him (Dr. Commins) to say that these threatening letters, which comprised three-fourths of the outrages, having accomplished their purpose—having urged on the Chief Secretary to bring in this Bill—there was no further need for them, and they had consequently diminished; that the diminution which had taken place was simply a diminution in the number of threatening letters written by those friends of law and order who would be informers by-and-bye. The Irish Members could not accept any compromise with a principle which violated not only natural justice, but the oldest and most valuable principles of English law.

Mr. LODER said, the object of all was to bring about the peace of Ireland, and it should, therefore, be their wish to give that power for good government and speedy action necessary to bring about so desirable an end. Treason should be judged of not by one speech, in which a man might have been guilty of a slip of the tongue, but by concurrent action and repetitions of the offence. He did not wish to re-open old sores; but he thought that agitators should be made to reflect and look back upon their former action. He protested, therefore, against the dictum of the Chief Secretary, when he said that because agrarian offences were on the increase in the months of October, November, and December, therefore they should go back to the month of October for the limit. Under the Bill, those who committed these offences might be punished; but the fact must not be lost sight of that the cause of these offences was incitement at an earlier period. Incitement was the greater offence of the two, and it was to punish those guilty of it that the measure had been made retrospective.

Mr. DALY wished the Chief Secretary to look at the fatal and dangerous precedent he was establishing by these extraordinary powers of retrospective legislation. If there was any reason for the Bill, it was that a state of things existed in Ireland in which persons known to have committed crimes could not be brought to trial because of terrorism which prevented people from giving information. Even if the people who committed those crimes were known, there would be nothing in these extraordinary powers to prevent crime in the future; and he put it to the House whether it was worth while to pass *ex post facto* legislation for the miserable purpose of arresting people who had already committed outrages? He did not think it was worth while, for the sake of punishing those men to take so fatal a step in legislation. The Chief Secretary had referred to another matter which had some importance, and that was the diminution of crime in Ireland. Now, he claimed to know the state of Ireland, and to know that if it was true that the police had knowledge of the men who had committed the outrages during October and the succeeding months, it was equally well known to those men that they were suspected and known; and the great probability was that before the Bill became law very many of them would have left the country altogether. So much did he deprecate outrage, that no one would give those men a more willing "God-speed" than he would. He deplored the outrages as much as any man; but he asked the House to take into consideration that the men who were described as *mauvais sujets*, "village tyrants" and "dissolute ruffians," were marked men. They were not only known to the police, but were known in the localities. The Government said they could not convict those men because of the terrorism that prevailed; but if they suspected them, there was no reason why they should not keep a close watch on them, and the moment they committed a crime to arrest them. But he appealed to them not, for the sake of revenge, to go back to the outrages committed in October—not to establish so dangerous a precedent in legislation. What was the object of legislation, and of legislation of the kind now proposed? It was not to revenge crime, but to deter from crime. Legislation would be active and powerful, and the fear of the Act would be a great deterring influence, and there was no reason to import into the Statute Books of that House any principle so dangerous as going back to offences already committed. Let the past bury the past. The measure was stringent enough, and it would lose none of its power or effect on the social condition of Ireland if the words under consideration were omitted.

MR. DILLWYN said, he had done what, in his conscience, he considered a serious duty, and he regretted that the Chief Secretary would not accept his proposal to make the retrospective action of the Bill go no further back than the 1st of January. The right hon. Gentleman had, however, given good reasons for naming the 1st of October. He had looked into the measure, and, having full confidence in the Government, he was willing to accept the limitation of the right hon. Gentleman, and would ask leave to withdraw his Amendment.

MR. CALLAN regretted that the Chief Secretary had not accepted the 1st of January, and remarked that there was a chance, some time or other, of the Conservatives coming into power during the continuance of the Act. If so, the right hon. Gentleman himself might be arrested, for many hon. Members were of opinion—and in that opinion he concurred—that his speech on the rejection of the Disturbance Bill last Session by the House of Lords was one of the greatest incitements to outrage in Ireland. And in October and November, when Ireland was quiet and there were no outrages, he did not enforce the Common Law.

MR. T. D. SULLIVAN said, he was in favour of throwing overboard the retrospective clause altogether. He thought it did not befit the British Government to be taking retrospective views of Irish affairs for the purpose of punishing Irish people. If they could set an example of forgetting the past they would be doing very wisely; but if they were to have long memories, so would the Irish people have long memories and bitter memories—and they would not limit them to October last. If crimes and individuals were to be brought up and punished by *ex post facto* legislation from September or October last, the Irish people would remember the crimes of England for a very much longer period. A good deal had been said in the discussion about law and order. It was said that law and order were not respected in Ireland and were not loved by the Irish people. Was it any wonder that the laws of England were not loved in Ireland, and that what was called law and order were not loved? He would refer to a specimen of the laws from which the people of Ireland had been suffering for generations——

THE CHAIRMAN: I do not perceive how the hon. Member's remarks bear on the Question before the Committee.

MR. T. D. SULLIVAN said, a proposition was before the House that a certain law should be passed, with a retrospective clause in it, enabling the Government to punish people for alleged or suspected crimes committed before the

Act was passed. His argument was, that laws of that kind could not be regarded and respected by the Irish people, and that, in that way, the very name of law and order was made hateful to the people of Ireland. They were told that the law of the land had been superseded by the law of the Land League to some extent. Was it any wonder? If the law of the Grand Turk could be introduced, it would supersede the law of the land according to their experience of it. It was not much to ask that the power to punish people for alleged acts and suspected acts before the passing of the Bill, should be abandoned. During the Land League meetings many of the speakers were unaware that they were violating the law — if they did violate it, which he did not concede—but, at all events, if there was a law against them it was not put in force. If a law existed at the time making the speeches at those meetings illegal, why was not some notice given to the speakers? A good deal was heard of British fair play, and Constitutionalism, and honour; but where were they in that proposal? There was very little use in arguing those points, for he had seen the Chief Secretary laugh at the arguments adduced; serious arguments only evoked the merriment of the right hon. Gentleman.

Mr. A. MOORE said, the retrospective clause so enabled the Government to go back on what was past, that really no Government need take the trouble to govern the country at all, for it could always introduce Bills with retrospective clauses. He remembered the case of a man of low character, who on the 1st of June had said at a meeting, speaking to a questionable audience—"Shoot the vermin; you know what I mean." Would the Government have a right to bring that man to immediate justice? He was brought to justice on the 28th of September, although his offence was committed on the 1st of June. Political Parties in this country were not particularly scrupulous in their treatment of each other; hon. Gentlemen opposite had allowed an Act, of which he did not approve, to lapse, allowing the present Government only 10 days to renew that Act, whereas the House was now on a Bill which had been discussed for five weeks. Hon. Gentlemen opposite were unscrupulous enough to allow that Act to expire without allowing the Government sufficient time to renew it, and then complained that the Government had not done so.

The CHAIRMAN: I must ask the hon. Member to keep strictly to the Question before the House.

Mr. A. MOORE said, the application of his argument was that if one Party was unscrupulous enough——

The CHAIRMAN: I have already stated that the hon. Member is not in Order.

Mr. A. MOORE expressed an anticipation that hereafter the country would be governed wholly and solely by retrospective Acts.

Mr. SYNAN asked on what principle was the proposed Amendment to the Bill objectionable? The Bill was intended to prevent crime, and not for the purpose of punishing crime that was past. He did not see how it was necessary, in order to prevent the committal of agrarian offences in the future, to keep a man in prison for a year and a-half for an offence committed on the 1st October last; and he did not see any necessary connection between the one and the other. He did not see how it was necessary, to prevent future offences, to put in prison for a year and a-half, or any period whatever, a man who had committed offences before the passing of the Act or before the 1st of January. Such an argument could only be founded on this — that a man who committed an offence on the 1st October or the 1st November was such an inveterate offender, that they should morally and logically come to the conclusion that the only way of preventing him from committing further offences was by putting him into prison. Was that a logical or a moral conclusion from the offence of the 1st October or 1st November? There was no connection whatsoever between the two. The Act of Parliament was to be passed to save society for the future, and not to imprison people for what was past. A man might be guilty of an agrarian offence two months ago, and the knowledge that the Act had become law would be a sufficient notice to him, and if he were a rational being that knowledge would prevent him from committing an act just as much as if they retained the retrospective clause. He saw no connection between the two things, and he saw everything objectionable on principle and upon grounds of humanity. The agrarian offences were, of course, crimes; they were moral offences, but what did they spring from? They sprang from a state of things in Ireland which modified, though it did not justify, the acts that were committed. They were not committed for a criminal purpose, and did not show a criminal purpose, or a criminal intent, or a demoralized character. The offences sprang from an excitable temperament provoked by a state of social disorder in Ireland, springing from what the people called bad laws with respect to the land in Ireland. When crimes had not sprung from moral disorder, why should a man be put in prison for an offence committed two months ago in order to prevent him committing another offence sometime hereafter? That argument was addressed to the Committee in the face of the declaration by the Government that they intended to amend the law, which would be as forcible a recommendation to a man not to commit a crime as the retrospective clause proposed. He, therefore, opposed the retrospective portion of the Bill upon political grounds, upon social grounds, and upon moral grounds, for he did not see that it was at all necessary for the purpose of keeping peace in the future. With respect to some more of the objections urged, he did not think the Bill was intended to punish men for what they said at public meetings; it was only intended for crimes of an agrarian character. [MR. T. D. SULLIVAN: Alleged incitement.] It was all alleged and all suspected; but the Bill did not intend to deal with any speech on a public platform which was not criminal, and did not tend to the immediate committal of a criminal act. He thought his hon. Friends had given too wide a scope to the operation of the Bill in that respect; but he thought the retrospective operation of the Bill was not necessary to restore law and order in Ireland, and he opposed to any extent all retrospective operation before the bringing in of the Bill. He thought the moment the Bill was brought in there was notice given to the Irish people that crimes would be punished, and that it was to that extent retrospective. It might be limited to the day when the Bill was brought in; but to go beyond that was not necessary to restore law and order in Ireland, and he, therefore, felt it his duty to oppose the clause.

MR. D. GRANT said, he could quite understand the view of the right hon. Gentleman the Chief Secretary. He had introduced the Bill, and said he intended it to work for the distinct purpose of restoring law and order; and that being the object of the Bill, any retrospective character would stamp on the Bill a sense of desire on the part of those who were in authority which would be prejudicial to the general character of the Bill itself. All that side of the House, and he had no doubt many on the other side of the House, were excessively regretful that the Bill should be necessary; but it was of the greatest and gravest importance that it should go forth to the world that the desire of the Government had been to uphold the majesty of the law, and not to pass a Bill with the idea of vengeance upon the people. He was sure that the most loyal supporters of the Government would be pleased if the proposed modification were introduced into the Bill, so that they might be able to defend the action of the Bill before their constituents on its own merits. He was sure that the power in the Bill was large enough for any purpose required to restore law and order without the clause under discussion. In connection with the Peace Preservation Act of 1870 there were some serious figures which told with great force. It was passed on April the 4th; the absolute crimes in January were 274, in February 206, and in March 233, making altogether 713 in the three months. The Bill was passed on the 4th of April, and from that time to the end of the year the total agrarian crimes were only 123, which was not equal to one fortnight during these three months. If that result was produced by a Bill of that character, it seemed to him that, for the purpose of carrying out that which was the fundamental principle of the Bill, the powers in the Bill were all that were required.

MR. BRADLAUGH desired to point out to the hon. Gentlemen opposite the awkward position in which they would put some of their Friends, if they insisted upon dividing upon that Amendment. He need not say how much he was opposed to the Bill; but it was affirmed by the majority that some Bill was necessary, and it was only upon that basis that they could continue the discussion. The Government had made a large concession, not so large as he could have wished or so large as he thought they might have made if he had not misinterpreted the statement of some Members of the Government during the Recess. It was possible that he might have misinterpreted them; but he certainly understood a very prominent Member of the Government to state in November that at that time the resources of the ordinary law had been found sufficient, and he regretted that the Government felt it necessary to go back some weeks before that date. He did not think it would be wise for them to waste time in discussing a simple question of one or two weeks, more or less; and, while he thoroughly sympathized with the hon. Members opposite in opposing the principle of the Bill, he put it to them not to drive Radical Members, who wished to vote with them, out of the House—which he could not help thinking cowardly sometimes—or to vote against them, as it might become their duty to do, if a vote were taken on the question whether the Bill should begin from the 1st of October or not, with the promise of the Government before them.

Mr. T. P. O'CONNOR accepted the statement of the hon. Member for Northampton, but he considered the question an extremely important one. It was whether the Bill should date from the 31st of October or from the passing of the Bill. That involved the question whether legislation should be *ex post facto* or not. He must strongly dissent from the action of the hon. Member for Swansea, and he thought that the course that hon. Member had taken should be a beacon and a warning to hon. Members on that side of the House not to give up their Amendments to that hon. Gentleman in the full confidence that he would continue their opposition. He had himself put an Amendment on the Paper; and if the hon. Member came and asked him for precedence, as he had done with the hon. Member for Longford, he should certainly refuse it, because nothing could more prejudice a Committee than to find the proposer of a proposal deserting it, and he would ask the House to forget the action of the hon. Member in that matter, and discuss the proposition on its own merits. What was the question the House was asked to decide? Their way would be very much facilitated in the discussion of the question and of the whole Bill if they knew the exact objects of the Government in pressing the measure. From what the right hon. Gentleman the Chief Secretary said, it appeared that the object of the limit he proposed was either to enable the Government to lay hold of a small body of criminals, or seriously and largely to interfere with the Land League agitation, of which the outrages were said to be, if not the outcome, at any rate, the accompaniment. If that Bill be meant merely to catch hold of the *mauvais sujets*, the answer was that they were got hold of already. No Minister could possibly have the power of catching them under that Bill, as they would be out of the country before it came into operation. He was not going to argue that these outrages had been caused by isolated bodies of ruffians. If the object of the Bill was to get rid of such men, they were got rid of already by the introduction of the Bill. He thought, however, that the object of the limit proposed was a larger one—namely, to interfere with the Land League agitation. The right hon. Gentleman cited the fact in favour of his proposal that crime had greatly increased in the three last months of 1880. But there was a point which the right hon. Gentleman steadily kept from the House—namely, that that increase was not of crime consisting of acts of violence to the person and property, but of intimidation. If anyone went through the list, it would be found that the major portion of that increase was under the head of threatening letters and notices, and not of injury to person or property. He challenged the right hon. Gentleman and his Colleagues to meet him upon that point. If that be so, how did it affect the case of the right hon. Gentleman? That Bill would not enable him to get hold of the writers of those letters. Those writers were not persons who could be so easily laid hands upon as persons visiting houses at night, or stabbing, or committing acts of violence against property. The writer of a threatening letter was a person whom, necessarily, it was almost impossible to find. Again, the object of the Bill generally was said to be prevention, and not punishment. He accepted that as being an excellent basis for the Bill. But there was no more well-founded maxim of political economy than that crime was not kept down proportionately to the severity of sentences. Therefore, the preventive character of the Bill would effect more than its character of punishment. Would not the case be sufficiently met by making the date of the Bill that on which it entered that House? If it were made to apply to an earlier period, it would, of necessity, be retaliatory and vindictive. As regarded the speech of the hon. Member for Northampton (Mr. Bradlaugh), he failed to see the difficulty in the matter to which he had alluded. If he thought it was right that the Bill should be retrospective, let him vote with the Government; if not, what difficulty could he have in voting with the Irish Members? He could see no difficulty in the case of the hon. Member, except that it was, perhaps, a painful matter for him to vote against the Ministry. That was an amount of torture that the hon. Member would have to go through several times, probably, in the course of his political career in that House. He (Mr. O'Connor) would appeal not only to the hon. Member for Northampton, but also to the hon. Member for Swansea (Mr. Dillwyn), who, he thought, had not acted quite fairly in the matter. He would appeal to them that, if they really had the courage of their opinions, and really believed that that Bill should be preventive and not vindictive, they should go on with their opposition to it. Finally, he must say that there had been one great argument brought forward with which he could not agree. He declined to allow its validity. It was that the character of the Government should affect largely the voting on a Bill of that kind. The doctrine of authority was an intelligible one, and was, as regarded Conservative Members, a part of their creed. But the fundamental doctrine of Liberalism was that the liberties of the people should not depend upon the authority of any particular individual, but on those laws and those rights which every Liberal was bound to defend. He hoped the present stage of opposition to the Bill would be persevered in.

MR. HOPWOOD said, he had heard with infinite satisfaction the reply which was given by the Government to the speech of his hon. Friend who sat below him (Mr. Dillwyn). Hon. Members opposite seemed to think that the hon. Member for Swansea should persevere with his Amendment, and that he had not acted fairly in the matter. For his part, he could not think that that was seriously meant by them. The action of his hon. Friend the Member for Swansea was well-meant towards both sides of the House. There was, no doubt, a general feeling on that side that some limitation should be inserted in the Bill; and he must say that it was his deep-rooted conviction that the Government did well to accede to the principle of the prayer which the hon. Member for Swansea had propounded on their behalf. That being so, he was bound to say that when once they had acknowledged the necessity for a Coercion Bill, it became also necessary to make it, in many respects, painfully effectual. When his hon. Friends opposite spoke of the Bill as being of a preventive character, he thought that a word or two from him might show why the Government felt it necessary to ask for powers which, at first sight, seemed startling. There was, beyond all doubt, a state of terrorism in Ireland, and the Government sought to abate it by asking for extraordinary means at the hands of Parliament. Therefore, they had asked for those means, and they undertook not to take up any man who was not guilty of a crime punishable by law. [Several hon. MEMBERS: Suspected of a crime.] His hon. Friends knew that one could not always put every part of a sentence logically forward while speaking, in the same way as if one were writing a newspaper article. He supposed that his hon. Friends would see that there must be, first of all, a crime punishable by law. The arrest might, no doubt, take place upon suspicion—that was partly the object of the Bill. The crimes referred to must come under one of two categories; either they must be acts of violence and intimidation, or the inciting to acts of violence or intimidation. Therefore, his hon. Friends seemed to be arguing as if favour should be shown towards men who had committed crimes punishable by law; those crimes being acts of violence or intimidation, or the inciting to such acts. He did not think that such an argument as that was entitled to much consideration. If it be conceded that there were people guilty of such crimes, who were exercising a terrorism over a neighbourhood, destructive of the happiness of the people of that neighbourhood, the question arose—what should be done to prevent it? They had decided upon coercion. Should it be limited to the date on which the Act passed? A few minutes' consideration would, he thought, show that it could not be so limited. In the first place, if a man had been guilty of acts of violence or intimidation—let them assume him to be the tyrant of a village known to be carrying out designs of his own or the orders of others, houghing cattle, guilty of incendiarism, and acts of cruelty, perhaps firing into the residences of people in the neighbourhood—if all those crimes had been done in October last, and that Act was not to be retrospective, he could not be touched. Perhaps the Bill would not receive the Royal Assent until the 1st of April; and, if the limit was to be the day the Act passed, he would be able thereafter to carry out his designs silently, to keep an evil eye upon the whole neighbourhood—in fact, still to be the cause of terror—and yet he could not be touched, because the Act was not to have a retrospective effect. If such powers as those for which the Government had asked were unfortunately necessary, he submitted that it was also necessary that something like retrospective action should be given to the Act. His hon. Friends opposite had spoken of the provisions of the Act being extended to the cases of men making speeches at public meetings. Most hon. Members had made such speeches; but he did not think that any of them were conscious of having thereby committed a crime punishable by law, being an act of violence or intimidation, or the inciting to such an act. Therefore, if hon. Members were conscious that they had not committed such crimes, why should they fear the consequences of that Act? He felt sure that no Minister, unless impelled by more than ordinary necessity, would be likely to make such extraordinary use of the powers of the Bill as to apply them to speeches; and, under the peculiar circumstances of the case, he thought that the powers sought for might well be granted to meet such cases as acts of violence and intimidation, which were crimes punishable by law.

Mr. DILLON said, that the hon. and learned Member for Stockport (Mr. Hopwood) had assumed that they ought to feel confident that the provisions of that Bill would be carried out strictly, and that they would only be applied to the case of persons suspected of having committed a crime punishable by law, being an act of violence or intimidation, or the inciting to such act of violence or intimidation. A man was arrested last week. He should like the hon. and learned Member for Stockport to say what act of violence he had been guilty of. He could tell the hon. and learned Member that he had not the least belief that the Act would be carried out in a strict sense. It might be said that the limitation was to be put upon the Act for the benefit of hon. Members of that House; but the Government would turn one face towards that House and another towards the people of Ireland. If the Government would consent to state on the face of the warrant what were the particulars of the offence alleged against the prisoner, or if they would allow that warrant to be laid on the Table of the House, so as to enable hon. Members to inquire what was the nature of the act of which the man was supposed to be guilty, there would be some force in the arguments of the hon. and learned Member. But when they asked that that should be granted to them the Government refused to agree to it; because they knew that they could not state upon the face of the warrant what act the man was guilty of, inasmuch as there was no act. In nine cases of arrest out of ten it would be found that there was no act of which the man was guilty, but that the cause of arrest was that the man was a prominent member of the Land League; and the members of that League were supposed to be guilty of every crime. He just mentioned that to show that even if a limitation were inserted in the Act there would be no security; the reasons for arrest would be known only to the right hon. Gentleman the Chief Secretary and the Lord Lieutenant, and it would not be in the power of any hon. Member there to disclose those reasons. With regard to the concession which it was alleged the Government had made in that important portion of the Bill, the hon. Member for Northampton (Mr. Bradlaugh) had stated it as a fact that the Government had made a very important concession. He regretted that he differed from the hon. Member entirely. No one supposed that the Government intended to stand by the unlimited retrospection of that clause. No one supposed that the Government wished to arrest some of the leading members in its own service. There were many gentlemen who at one time were extremely opposed to that service which they were now proud to enter; and it was not likely that the Bill was to include them in its purview. They did not suppose that the Ministry seriously intended to pass an Act which would enable them to arrest any man who was now high up in the social circles of Dublin. They knew that the Government wanted something upon which to make a concession, so they framed the draft of the Bill with an unlimited clause in order to allow of a limit being inserted. The Government had decided upon having a limit within which they might entrap a number of men connected with the land agitation. He could have told them long ago what the limit was to be, so that the Government might effectuate its object. It was nothing short of a farce and an absurdity to tell them that there had been an important concession, when a limit was to be inserted in the clause which would give the Executive a hold on himself and his comrades who laboured with him in connection with the Land League agitation during the months of November and December. If the Government meant to make a concession he could tell them what that concession should be—namely, that that Bill should have a retrospective action, dating from the day on which it was introduced into that House —from the day on which it became known to the people of Ireland that such a Bill would probably be passed. What could be fairer than that? If the limit were placed beyond that they would be going to punish men for doing deeds by a Bill which was not even in the contemplation of the Government, perhaps, when those deeds were done. In short, the concession which they had been told was an important one was, therefore, in reality, none at all. The alteration had been made in order to meet the views of certain hon. Members of the Advanced Liberal Party, and to stop their consciences. For his part, he should vote in favour of the Amendment, although its Mover had desired to withdraw it. And, further, if the Government proposed to make the alteration in the clause they had suggested, he should vote in favour of the clause standing in its original nakedness, in order that the Government might not have the opportunity of going before the country as having taken away from the pernicious character of the clause, when, in fact, its effect would not be altered in the slightest degree.

MR. A. M. SULLIVAN said, he had listened with great attention to the remarks which had fallen from the hon. and learned Member for Stockport (Mr. Hopwood). The question was now, however, simply this—whether that Bill was to pacify Ireland by giving extraordinary powers for enforcing the law against crimes which might be committed, or whether it was to be of a vindictive character by going back upon the past? Now, the hon. and learned Member for Stockport, who was a Constitutional lawyer and a Radical defender of freedom, maintained this proposition—that granted that the country was perfectly peaceable and tranquil; granted that no crime whatever was committed in Ireland in the month of April next; granted that all agrarian disturbances ceased in April; this was his position. Still, he said, the Government must have the power of going back to last October, in order to gratify its revenge upon some men, and that not for what was done by them, but for what they were suspected of doing. The defender of popular liberty said that he was unable to put into a whole sentence everything that one might logically wish to include. But during the whole of that astonishing speech of his he had never brought in the word "suspected," which constituted all the difference. The hon. and learned Member had used the present tense seven times—"If a man is committing a crime." But the Government say—"If a man is suspected of having committed a crime in October." He was afraid that lawyers were apt to bring into that House too often the habits that were learnt at the Bar, and that they would not take a broad and comprehensive view of a question such as befitted Members of a Legislature. He thought that the Committee would own that the case of the hon. and learned Member was not that of the Government. Granted that crime ceased, that threatening letters disappeared this month, that the Assize Calendars were a blank, the Government said, notwithstanding, that they could not put a clause in the Bill whereby they could go back to October and November in order to gratify the revenge of the terrified landocracy in Ireland and the village policemen. It was whispered among Irish Members that the right hon. Gentleman the Chief Secretary, before he framed that Bill, exchanged letters with Count Loris Melikoff in order to procure suggestions from St. Petersburg. In no letter, however, was there such a suggestion as that of retrospective action. Count Loris Melikoff never suggested such a clause as that which was then contained in a Bill brought forward by the most liberal and benevolent of Liberal Ministers that had ever sat on the Treasury Bench. The right hon. Gentleman the Prime Minister, whom he saw sitting there, would not advance a step in order to remove the objectionable character of that clause. Judging him from his grand career, he could only say that, to even the highest, best, and noblest of all natures, it might come to pass that they would condescend to acts of despotism, at the thought of which they would have been considered to blush. If the Bill must be passed, let it be framed to meet the cases of crime as to which it could be shown that there was some ground for suspicion at least. If the Bill was to become law, let it be passed, bitter and objectionable as it would be considered still, containing, as it did, power to arrest on suspicion, and the removal of the necessity of trial by jury; but if there was any desire to pacify Ireland, let it not be retrospective to October, in order that revenge might be had upon men for giving vent to passion and temper during the months which were the rent-collecting months in Ireland. Those who lived in Ireland, like himself, knew that during those months the friction between landlords and tenants was most keen. That being so, and those months having now passed away, he contended that the Bill should not be made retrospective so as to include them. The date of the Act should be that on which it was introduced into that House. If the Government did not accept that date, what was the confession? That they wanted to go back upon men who had submitted to the law and been tranquil and peaceable, and suspect them of committing crime in October. But the hon. and learned Member for Stockport said that there might be peaceable and law-abiding citizens, and there might be others who kept an evil eye upon a whole village; and he said that the consequences of that were that that evil eye must be cut out. Why, that hateful doctrine, which the defender of popular rights stated in his speech that night, amounted to this—that they were to act worse than the Bourbons did in the case of the Bastille, and immure a wretch for life simply because he was suspected by the police of having committed an act punishable by law. He was afraid that the evil eye was upon some defenders of liberty in that House. There was a moral *duresse* which stifled the feelings of hon. Members opposite, and he wished the Prime Minister would rise, and, by one word, liberate the consciences of the men who loved and followed him. Let him tell them that this morsel of concession should be given, and that the Bill should not go back on the career of any peaceable peasant and law-abiding person who did wrong no longer. It had been urged as an argument in favour of the retrospective action of the Bill that the words, "Shoot down the vermin; you know whom I mean," were used as far back as October last, at a public meeting, and allowed to pass unpunished. With abominable language of that kind he had no sympathy whatever; and he said that the Government at Dublin Castle should have laid the man who uttered it by the heels, and made him account for his conduct within 24 hours.

THE CHAIRMAN: The hon. and learned Member is travelling entirely beyond the Question before the Committee, which is, whether the words "either before or" shall stand part of the clause.

MR. A. M. SULLIVAN said, he would bow to the ruling of the Chairman when he understood the connection of what he was saying with the Amendment before the Committee. The case had been instanced of abominable language used last November, which was cited as a justification of the clause under discussion. But it had been proved that the man who uttered that language had just come from a drinking bout with the police. He was not a member of the Land League, and he came upon the platform against the remonstrances of the members present, from whom he had received no encouragement whatever. The words in question formed the only argument used by the other side, which, in his opinion, would carry the Committee away with it. However, he would pass from the incident, and put it to the Government whether they were not bound to be content with the exercise of a severity that would date from the introduction of the Bill, and not make it a purely vindictive measure by retaining its retrospective powers.

Mr. O'SHAUGHNESSY thought one important argument against the clause lay in the conduct of the Government. Her Majesty's Government desired the power of imposing punishment on men whom the officials suspected of having been guilty of certain crimes during the last five months. He would mention some of the acts which would be punishable under this Act, and would show that the Government had deliberately stood by while these things were being done without raising their voice against them. Under such circumstances, he submitted they were not to be heard when they came to the House of Commons and asked for retrospective powers. It was the general impression amongst landlords in Ireland, many of whom had, no doubt, suffered injuries and hardships from certain courses pursued by the Land League, that these acts were being done with the connivance of the officials to show the necessity for an Act which would terrorize the Land League. That, at any rate, was the opinion of many whom he had met. The Government had stood by while the power of the law was being absolutely usurped by the Land League, and while Land Courts were being held in Clare and other districts. They never protested against them, the police never interfered, no proclamation with reference to them was made, and no single act done against them; although they were now to be made subject to this act. Again, meetings were held all over the country, which would, undoubtedly, be made the subject of retrospective punishment. He was astonished to hear some hon. Gentleman speak as if this Act would be confined to deeds of violence only, and to incitement to crimes and assaults, for it was perfectly plain that it would empower the Government to inflict retrospective punishment on men who had attended meetings in Ireland. At the recent trial in Dublin, the Attorney General for Ireland had, in his speech, laid down, as exponent of the law, that an attempt to get up a combination against the payment of rent would be a violation of the law. Therefore, if words had any meaning, and if the intention of the Government was to carry the law as laid down by the Attorney General for Ireland, there was no doubt that every speech that was made for the purpose of getting up a combination to insist on the abatement of rent by intimidation would bring the person who made it within the retrospective provisions of this Act. It was plain that this was also the view taken by the hon. Member for Cavan, who had put down an Amendment with reference to that very point. It could not be denied, at all events, that the Government had tolerated the acts which had been done; and, that being the case, they had no right to come forward in that House and ask for unconstitutional retrospective powers. Nor could they plead that they had tried the ordinary law, and that it had failed, and that, therefore, they were going to fall back on unconstitutional punishment, because the Attorney General for Ireland and the Chief Secretary for Ireland knew that the recent trials would end in failure, and that this measure would eventually be resorted to. The agitation, then, having been carried on—he would not say with the connivance of the Government, but with their consent—they were not now entitled to ask for unconstitutional powers to inflict punishment for things done long before the Act was passed.

Major NOLAN pointed out that there were three different classes of persons which might be brought under the provisions of this Bill. First, there were the men who, as members of the Land League, carried on the agitation in a Constitutional way, who collected money for the League, and took part in its councils, and who had, perhaps, made speeches which he was not there to defend. Then there was the second class of men, who, perhaps, went beyond the ordinary lines of Constitutional agitation, and who opposed the serving of processes, who did not pay rent themselves, and encouraged others not to do so.

Finally, there were the persons who committed acts of violence and intimidation. Her Majesty's Government, he was afraid, had not sufficiently discriminated between these classes, and a retrospective law like that proposed would, consequently, inflict great injustice. In order to illustrate this, he would give English Members an instance from their own politics. In the year 1866 many Gentlemen now on the Treasury Bench made strong speeches against the Conservative Government; and it was stated at the time by Mr. Disraeli that the present Prime Minister had addressed a tempestuous mob from his drawing-room window. This was denied at the time; but possibly if Mr. Disraeli had had the power of acting retrospectively he would have locked up the present Prime Minister for 18 months. Then there was another class of Englishmen who pulled down the park railings, and who, having done wrong, were sentenced by the magistrates to certain punishments. Now, if these different classes of persons had been made together the subject of retrospective law, he was quite sure that public opinion in England would have been very much shocked.

The CHAIRMAN: The hon. and gallant Member is travelling considerably beyond the Amendment.

Major NOLAN, in deference to the ruling of the Chairman, would abandon that line of argument. He wished it to be remembered, however, that all these clauses had been rejected by the Irish Members; and, in addressing himself to English Members only, he had simply pointed to a parallel case in English politics to show that they would not have tolerated the retrospective powers now asked for by the Government in the case of Ireland. If he excepted the two Law Officers on the Government Bench and the four ex-Members of the late Government, the whole of the Irish Representatives, with the further exception of eight or nine Conservative Members, had pronounced their condemnation of this Bill. His object, therefore, was to attempt to convince the English Members. He wished to show them that as this Bill would not be tolerated by an English Parliament, as applied to England, the Irish Members were not so far wrong in pursuing a like policy. He would now turn to other matters, having made this apology in order to convince the Committee that he was not purposely wandering from the question before them. The hon. Member for Limerick (Mr. O'Shaughnessy) had pointed out that during the 14 days which preceded the meeting of Parliament there had been much speculation in Dublin as to what the Government would do. This was the subject of almost every conversation in the clubs, bars, libraries, and other places of resort, and it was thought that the Government wanted this agitation. If that were so, it was very wrong on their part to bring in a Bill of this kind to punish acts which they had encouraged.

Sir HENRY TYLER rose to Order. He wished to know what Dublin gossip had to do with the Question before the Committee?

The CHAIRMAN: I point out to the hon. and gallant Member that the Bill is a Bill of urgency, and that it is the duty of the Chair to keep hon. Members strictly to the point before the Committee.

Major NOLAN, acting on the intimation of the Chairman, would proceed with his argument. He did not say that the Government had encouraged this agitation to the extent to which it had gone; but he knew that a great many people in the West of Ireland thought that the Government required some support against the House of Lords, and that a certain amount of agitation was necessary for that purpose. If some persons, acting on that belief, had overstepped the bounds of legitimate agitation, they ought certainly to be dealt with leniently, especially when suspected by Conservative magistrates, ordinary magistrates, resident magistrates, and Conservative police officers. It would be very hard that these persons should be punished when they believed they were only supporting the Government. He wished the Government would say that they would not put in force the retrospective portion of the Bill against persons who made public speeches only, and attended the meetings of the Land League; and that it should be confined to cases where there had been violence. He would like the action of the Bill to be limited to cases in which outrages had been committed. He had another argument to urge against this retrospective power. One thing wanted in

Ireland was to make the people respect the law. It was a well-known maxim amongst lawyers that if they made a bad law the people's respect for good law was weakened. There could be no doubt that to arrest people on suspicion only was, in itself, bad law. It might be necessary under certain circumstances, but it was bad; and, for that reason, he thought it would be much more prudent on the part of Her Majesty's Government if they left out retrospective action altogether. The people of Ireland were perfectly convinced of the power of England; and there was no object to be gained by impressing it still further upon the Irish people. They should be convinced that the laws made for them by the English people, exclusively, were just. If, for the future, they insisted on discouraging people from going to meetings and depriving them of a good deal of their freedom, at least let them not make the law retrospective, or they would lessen the respect for the ordinary law in Ireland. They might increase a respect for some new course of law; but it would only be by striking terror into the minds of the Irish people, and producing a state of feeling which would not inspire respect for the ordinary law. Hon. Members must recollect that the law about to be passed was to be carried out with the utmost severity in the districts which were prescribed within it; and it would bring within its operation hundreds of persons who, at present, had committed no crime or offence, beyond sending subscriptions to the Land League. Some of them might have gone to public meetings convened for the purpose of hearing speeches in behalf of the Land League. Their only offence was that they had listened to such speeches; and yet, at this moment, they were in the utmost fear and dread as to the consequences which they might have entailed upon themselves. It would be very well, therefore, if it could be made known that the Bill would only apply to those who took an active part in these meetings. But Her Majesty's Government refused to do this; they declined to state that the measure would only affect those who had been actively engaged in the work of agitation; and the consequence was that it was looked upon with the greatest fear and horror. He thought no harm would be done if the Government would consent to give up the retrospective clause altogether, and make the provisions of the Bill like those of any other measure.

MR. O'DONNELL was anxious to say why he thought that the outrages which took place in the months of October and November really ought not to be considered as outrages of a character to justify the retrospective action of the Bill. It was a measure of a legislative description; and their object should be to minimize its operation as much as possible. He did not agree with the hon. and learned Member for Stockport (Mr. Hopwood) that the Bill could not be effectual if it were made prospective only, or that it would not be made to apply to speaking at a public meeting. Every person suspected of having incited, not merely to acts of violence, but an act tending to interfere with or disturbing the maintenance of law and order, could be punished. That was quite clear to his mind; although he admitted that there was a marked vagueness in the terms of the clause as it now stood in the Bill. The words were— "tending to interfere with or disturb the maintenance of law and order." They could not possibly have a more vague word than "tending," except it were the words "interfere with or disturb." Anything might be regarded as an interference or disturbance; and it would depend entirely on the animus of the interpreter whether or not the tendency or the interference would be considered a criminal tendency or a criminal interference. He presumed that the reason why the right hon. Gentleman the Chief Secretary selected the date of October as the commencement of the period to which the measure was to apply was, because in the month of October the outrages came to be increased very much in number, if not in absolute gravity. He would venture to lay before the right hon. Gentleman and Her Majesty's Government some reason why they should not consider these outrages as being of a nature that at all required the special revenge which was provided for them by the present Bill. It was said that in the months of October and November the outrages began to take place in increased numbers. Now, he ventured to say that this increase in the number of outrages might be referred to two distinct causes, neither of which was of a character to justify the retrospective effect that was proposed to be given to the Act. In the first place, the action of Her Majesty's Government, or the position of the Government, was clearly and distinctly the cause of a large number of these outrages. He did not say this by the way of casting any stigma or reflection upon the action of the Government, because he was aware that a large number of these outrages were due to the general feeling of despair which spread throughout, if they pleased, the more ignorant districts of Ireland, and probably the poorest districts, but to the general feeling of alarm which prevailed in these localities after what was done by the House of Lords last Session, and what he had no doubt would be done by the House of Lords this Session, if the Government succeeded in passing their Land Bill in the House of Commons and sending it there. Her Majesty's Government would, in that case, find themselves deserted by their Whig supporters as they were last year. The people, smarting under their great disappointment, were under an apprehension that the Government would not bring in a remedial measure that would be anything like adequate to afford compensation to the Irish people. A great deal of the lawlessness which prevailed last autumn was the direct result of the public doubt and despair in regard to the proposal of remedial measures. He thought that Her Majesty's Government ought to bear that in mind on the present occasion, and when they knew that they were now about to bring in remedial measures for the misery and despair into which a large portion of the Irish people had been thrown when they honestly entertained the belief that Her Majesty's Government, although they might have the best intentions, could not possibly bring in remedial measures in time to be of service to them. Outrages which arose from that state of feeling, however mistaken it might have been, ought not to be considered by Her Majesty's Government as justifying them in making retrospective an act of coercion which was to apply to any part of Ireland that might be officially prescribed. Another class of outrages in Ireland, so far as they proceeded from incitement and from lawless agitation, came from another cause, also closely connected with the position of the Government. It was honestly believed in Ireland that Her Majesty's Government wanted to have their hands strengthened in Ireland, and that they were really glad to see a powerful land agitation started throughout the country. [Mr. W. E. FORSTER dissented.] If that was a specimen of the suspicion upon which they were going to send persons to prison in Ireland for 18 months, it showed that the suspicion was very strong, and it increased his dislike to place these powers in the hands of the right hon. Gentleman who said "Oh!" He wished to remind the right hon. Gentleman that they already had the word of the right hon. Gentleman the Chancellor of the Duchy of Lancaster that if a strong land agitation had been got up, so far as its objects were legitimate and legal, he would have supported it, and he would have been actually ready to send a subscription to it. And yet the right hon. Gentleman the Chief Secretary cried out "Oh!" because he (Mr. O'Donnell) accused Her Majesty's Government of being anxious for a strong land agitation in order that their hands might be increased in introducing reforms. There was a very strong land agitation in Ireland in compliance, notwithstanding the denial of the right hon. Gentleman, with the wish of Her Majesty's Government. He was not prepared to deny that, in certain cases, that strong land agitation became degraded into an illegal land agitation, and into a violent land agitation. Many foolish words, many violent words, and many criminal words, were spoken here and there in carrying out the agitation. The illegal and violent agitation was the mere fringe of the legal agitation for which Her Majesty's Government were dying; but he would appeal to the Committee whether that was not the invariable accident of all popular agitations. There was a fringe of illegality upon the Corn Law agitation; there was a fringe of illegality upon the Reform agitation; and he conceded that there was a fringe of illegality upon the Land League agitation. But it ought not to stand against the Irish people now that the legal part of the agitation had done its work, and the Government were aware that their hands were strengthened, and were certain that they would be supported by all the Land League Reformers. He failed to see why this fringe of illegal agitation should be held to be any reason for punishing these transient and temporary acts of madness and folly with the terrible vindictiveness proposed by the present Bill. Therefore, he said that, as far as the action of Her Majesty's Government was concerned, they encouraged, on the one hand, the Land League agitation; and, on the other hand, by their failure to introduce or to carry any remedial measure last year, they spread a feeling throughout the country that they might fail again. For both of these reasons he thought that Her Majesty's Government ought not to be too hard upon the outrages and excesses which occurred last autumn as the natural consequence of this condition of things. That condition of things had now passed away. The poorest and most ignorant of the Irish people knew that Her Majesty's Government required a strong land agitation no longer, and that they were bent on bringing in a strong measure of Land Reform. What good, then, would there be in taking advantage of a transient and miserable state of things that was not likely to return as a justification for punishing a whole nation with such terrible vindictiveness? There was another reason for the outrages which had taken place, and that reason, also, was one which Her Majesty's Government could not possibly entertain as a ground for giving a retrospective character to the Bill. The outrages were also caused by a state of things quite apart from the action or inaction of Her Majesty's Government. The hon. and learned Member for the County of Meath (Mr. A. M. Sullivan) had very properly called the attention of the Committee to the fact that at the very time the outrages began to grow more numerous in Ireland, the relations of the landlords with the tenants were in a state of even greater hostility than was usually the case. It was all-important to know that this increase in the crop of outrages sprung into being at the time when the landlords began to make demands on the people at large, on the faith of an abundant harvest, for the full payment of high rents, and, in many cases, for the payment of arrears. Whether the right hon. Gentleman the Chief Secretary would admit the appositeness of the argument he did not know; but he believed he would admit that this was the fact. Just previously to the outrages becoming more numerous, the landlords began to threaten the tenants, and to say that they had made quite enough out of the abundant harvest to enable them to pay up the arrears. But it must be notorious that the harvest, abundant as it was, was not sufficient to enable the tenants to pay the arrears. Nevertheless, these unfortunate people found themselves threatened by the landlords; and, finding that the clearing day was coming upon them, when it was possible for the landlords to turn round upon them and evict them; finding, also, that they had no remedial measure, because the Compensation for Disturbance Bill had been thrown out in the House of Lords, they took refuge, as miserable people in every country in the world always did, in acts of madness and folly. They sent round rude sketches of guns, pikes, and coffins, and other bogies, to their landlords, threatening them that if they attempted to enforce payment of the arrears out of their miserable savings they must be prepared for the consequences. He believed that the Irish Conservative landlords in that House would fully and entirely corroborate him in giving this explanation of the outrages. The increase in the number of outrages was directly caused by the increased demands of the landlords for rent. No doubt, Conservative Members would say that the landlords had a perfect right to demand their rents; but, nevertheless, he believed that both sides of the House would admit that this sudden increase in the outrages was caused by the demand made for rent. He was also of opinion that the right hon. Gentleman the Chief Secretary himself would not deny that, in a great number of cases, the rents demanded by the landlords were exorbitant rents.

MR. W. E. FORSTER: I hope the hon. Member will not consider that my silence is an assent to all that he is saying.

THE CHAIRMAN: I must remind the hon. Gentleman that he is going at very great length into matters of very questionable application to the subject immediately before the Committee.

MR. O'DONNELL said, he was utterly unable, consistently with a conscientious regard to his duty, to refrain from controverting the statements of Her Majesty's Government as to the origin of these outrages.

THE CHAIRMAN: The Question before the Committee is not the origin of the outrages, but whether, outrages having existed, a retrospective power of punishment should be given. The hon. Member is travelling quite wide of the Question in entering into the origin of the outrages.

MR. O'DONNELL said, the Bill was of a retrospective character, and gave power to inflict punishment for certain outrages said to have been committed months ago. He contended that he was fully within his right that these outrages were not of such a character that they ought to be visited with punishment now; and, therefore, that there was no necessity for the retrospective action of the Bill. Surely nothing could be more germane than such an argument. He was quite willing, however, to sit down; but he thought the people of Ireland would have something to say in the matter. The question would not be lost sight of elsewhere.

THE CHAIRMAN: I have stated the views of the Chair as to the irrelevancy of the hon. Gentleman's remarks. If the hon. Member, in spite of my ruling, persist in continuing the same line of argument, it will be my duty to ask him to discontinue his speech.

MR. O'DONNELL said, he did not think that even the Rules of urgency would prevent him from putting forward views that were germane to the Question clearly before the Committee. He should certainly sit down now; but he protested before his country as to the way in which he was being gagged on that occasion. If it could not be shown in that House, it would be shown elsewhere, how the right hon. and learned Gentleman the Attorney General for Ireland and the hon. and learned Gentleman the Solicitor General for Ireland had requested the Chairman to interrupt the Irish Members.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

MR. FINIGAN said, that if he were unfortunate enough, however unwittingly, to fall into the meshes of some irregularity, he trusted that the right hon. and learned Attorney General for Ireland or the Solicitor General for Ireland would have the manliness, if he (Mr. Finigan) wished to call attention to the matter, to act according to the practice of the House, and rise in his place, and not sneak along by the Bench——

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON): I must ask you, Mr. Chairman, whether the language of the hon. Member is Parliamentary?

THE CHAIRMAN: The expression is one which it is quite unusual to apply to a Member of this House.

MR. FINIGAN: To what expression do you refer?

THE CHAIRMAN: The word "sneak."

MR. FINIGAN: Then I would say "glide" along by the Bench, and——

["Order!" *and* "Withdraw!"]

THE CHAIRMAN: I have told the hon. Member the word is not according to rule, and I must call upon him to withdraw it.

MR. FINIGAN said, he would withdraw it according to the Chairman's ruling, and substitute the word "glide" along. The Government held very extraordinary opinions on this subject, and one of their most extraordinary pleadings was with regard to the certainty of their observing the spirit of the measure. He must observe to them, however, that when it became law it would be read and construed by its very letter, and not by its spirit. If any counsel attempted to urge the reasons adduced by the Government in support of the retrospective character of the Bill, he would be told that the arguments of Ministers in Parliament had nothing whatever to do with the letter of the law. All the arguments adduced here by the Law Officers, or by the Chief Secretary, would be absolutely valueless in any Court of Justice. He found the Chief Secretary had said that it was the prevention of crime that was aimed at; but he failed to see how they could introduce any retrospective clause and, at the same time, with any show of reason or logic, ask the House to believe that they were proposing a measure of prevention. They were proposing a measure of vindictiveness, and there was nothing more calculated than that to exasperate public opinion in Ireland still further against Her Majesty's Government, whether that Government were Liberal or Tory. If there was any portion of the Bill which was unjust—and his contention was that the whole of it was unjust and unfair—it was this retrospective clause, which was contrary to the spirit and letter of all English law. It was diametrically opposed to the best interests of justice in Ireland. The Irish people were told in the House of Commons that they had been guilty of very serious crimes, and to a very great extent, and that the outrages they perpetrated came under the ken of the ordinary law. He held that if the retrospective proposal were withdrawn, and the Coercion Bill were passed without it, the measure would, of itself, enable the ordinary law to be carried out. The Government confessed they wished to deal with treason, felony, or treasonable practices. Well, the ordinary law would give sufficient procedure by which to punish the perpetrators of these offences, as well as of agrarian outrages; and those who might be reasonably suspected of inciting to, or committing of, such crimes. It was, therefore, quite in accordance with the pronounced policy of the Government, if they wished to make the measure preventative and not vindictive, to punish all future crime after the passing of the measure, and not revert to the policy of exasperation—the policy opposed to the law, and certainly hostile to the real interests of justice. This policy of going back to the past, and punishing a man for an act which he might not have believed to be criminal when he committed it, would really be a turning back on the part of the Liberal Party from the path of justice which they had announced as their panacea for Irish grievances. He trusted, therefore, that the Government, who claimed that the Bill was one of prevention and not of punishment, would withdraw this retrospective proposal. He was extremely anxious that the Government should be enabled to carry out the ordinary law, and not have to depend upon this extraordinary and unjust measure. The Irish people were certain to be very hostile to the Bill; and he should be sorry if it could be said of any Government that they had created a measure by which they sought to punish a man who had, under cover of the Constitution and public meetings, been unwittingly guilty of what was now alleged to be a very serious matter. If the Government wished to be just to Ireland, and there was any real confidence to be placed in Government professions, he trusted that they would not stop at this small compromise, into which he would not enter; but would be generous, bold, and liberal enough to say that they would only make the Bill act from the time of its introduction into the House, and so awe the offenders, whom they said they knew through their officials, into a respect for the law in time to come by punishing them under the ordinary law. He therefore hoped the Government would endeavour to make the Bill as just as it was—[Mr. WARTON: Generous.]—as just as it was deemed necessary; and he trusted that if he were interrupted at any future time by an hon. lawyer it would not be in the interest of despotism, but in the interest of justice.

MR. LABOUCHERE said, he was opposed to any retrospective action; but, as his hon. Colleague (Mr. Bradlaugh) had pointed out, those who took that view were in the minority, therefore it was desirable that they should come to some sort of an arrangement with the Government if it were possible. Some hon. Members seemed to think that the proposal now before the Committee was a fair and reasonable one; but to have any effect the arrangement should be made with hon. Members from Ireland. They themselves had proposed a compromise—namely, that the Bill should only be retrospective from the day on which it was brought into the House, and this appeared to him a very reasonable proposal—nay, a great concession from those Gentlemen. He would put it to the Government whether it would not be desirable to temper coercion with a little concession. They had been exceedingly fortunate in getting the Bill through the second reading; it was now in Committee, and he presumed they were as anxious to get it out of Committee as a short time ago they were to get it into Committee. If the concession proposed were made, hon. Gentlemen opposite would see that the provision must be accepted, and that the Government desired to render the measure as innocuous as it was possible for such an instrument of tyranny as a Coercion Bill to be.

Mr. BLAKE joined with his hon. Friends in appealing most strongly to the Government to concede the reasonable request made to them. He had had many years' experience of residence in Ireland; and he could assure the Government, from his knowledge of the country, that there had been scarcely an offence committed there within the last six months that the ordinary law could not deal with, therefore the retrospective powers asked for were not necessary. The difference between the one side of the House and the other was very small. The Irish Members asked the Government to concede what amounted to scarcely three months; and he was sure, if he gave a favourable reply, the Chief Secretary would purchase a considerable amount of peace for himself and the Law Officers of the Crown in Ireland. They had heard it stated the other night that there was nothing in Ireland more vicious than the police system—than the fact that no rewards were given to the police unless for convictions. There was no instance, he believed, of a policeman having been rewarded for a failure; and the result would be that when the Bill became law these officers would be put upon their ability to ferret out persons who could be arrested under the Act. He had given a great number of instances in support of his contention on a previous occasion, and he would not trouble the Committee by repeating them. He had no doubt in the world that if these restrospective powers, even to the extent of three months, were retained in the measure, similar instances would arise. Hon. Gentlemen who had spoken before him, particularly the hon. Member for Dungarvan (Mr. O'Donnell) had endeavoured to show that nothing was ever gained for Ireland from the mere abstract justice of it; and it was well known that, unless a strong agitation preceded anything that was asked for in this House, there was little hope of its being obtained. It was a sad fact that the people had to be worked up almost to the point of demoralization before anything could be accomplished. The prevalent feeling in Ireland had been—and not without justice—that unless there was a strong agitation to show the necessity for Land Reform they would not get a Land Bill, and he had no doubt that a good many people had been betrayed into indiscretion and petty crime under the impression that they were aiding in the accomplishment of a very important measure of justice for Ireland. A very politic and graceful way of proceeding on the part of Her Majesty's Government would be to concede the very moderate demand now made on them. All the persons described in the Bill had now full notice that they must keep themselves within proper bounds or the consequences would be very serious. What had occurred during the past six months? He had been carefully examining the details, and really they did not seem to him of a nature to entitle the Government to ask for these retrospective powers. In the interests of the peace and good feeling of the country, and for the sake of preventing overzealous stipendiary magistrates and police officials from being betrayed into unnecessary arrests, he hoped the Government would accept the Amendment, and only make the measure retrospective in its action from the period of its introduction. They might depend upon it the Bill, as so amended, would serve all their purposes, prevent unpleasantness to themselves, and the raising of a great amount of acrimony in Ireland.

Mr. GILL thought every Irish Member was bound to support the Amendment, as the clause was one against which they must all enter their protest in the strongest possible manner. They must all do their utmost to induce the Government to accede to their very reasonable request. He had no doubt that if the retrospective action of the Bill were to extend to the 1st of October many cases of injustice would be caused. He would mention a case in which he thought injustice would occur in the country parts of Ireland, in consequence of what he believed to be the very imperfect system of reporting adopted at public meetings which had been held since the 1st of October by the shorthand writers sent down by the Crown. There was no doubt that these gentlemen had made enormous mistakes, both in their reports of speeches, and in putting into the mouths of one set of people that which had actually been said by another. What were the grounds for reasonable suspicion that would be looked for by the magistrates and the police? Would they not be in very many cases the speeches delivered from the platforms of Land League meetings throughout the country? When they found that in this House the Prime Minister himself brought forward a speech and quoted it as having been uttered by the hon. Member for Cork City (Mr. Parnell), when it had been spoken by quite a different person, was it not probable that the same thing would be done by lesser officials in hundreds of cases throughout Ireland? A speech made by some unimportant individual on a platform was put into the mouth of the hon. Member for Cork City. Then what was to prevent other speeches of unimportant personages being put into the mouths of a great many other people? The result of allowing this sort of thing to occur, and the Bill to pass in its present shape, or even as about to be amended by the Government, would be, that perhaps a great many innocent people would be arrested on account of utterances that were not theirs at all, but for which some of that class whom the Chief Secretary characterized as "disreputable blackguards" were responsible, and he did not deny that at many of these meetings there might have been some people of that class. In the following of every army going into the field there was always a class of disreputable camp followers, who must be perfectly distinguished from the soldiers who were about to fight; and, in the same way, he did not deny that at these Land League meetings—at all of which there had been a large attendance of the most respectable farmers in the country—there had been some "blackguards," and that sometimes they had got an opportunity of speaking. He had been to some meetings in his own county at which, on account of the confusion that occurred on the platform, he would have defied any newspaper reporter to put the words in the right person's mouth. This was one reason why he believed a great amount of injustice might be done under this Act. But he had listened very carefully to the speech of the right hon. Gentleman the Chief Secretary this evening, and certainly, in some of his utterances, he could not follow his logic. He had said that the principal cause of the decrease of crime in Ireland during the past two months, or since the 1st of January, was the fear of this Bill becoming law. Well, he immediately went on and stated that the Government wanted the measure rather as a preventative than a punishing power. If this were so, and the very fear of the Bill becoming law had been sufficient to cause an enormous decrease in the amount of crime, was it not reasonable to suppose that when the measure came into operation, and punished the perpetrators of outrages and their abettors from the time it was introduced, it would still further tend to reduce crime? If it was to prevent crime that the Bill was introduced, why on earth did they want to give it a retrospective character? These were some of the reasons why he thought they should not make the Bill retrospective. There were many others; but they had been fully dealt with by hon. Members who had spoken before him. If the Government wished to let the Irish people see that they were resolved to act fairly and justly to their country, and not to irritate them and, perhaps, urge them into fresh excesses, he would ask them to abandon the retrospective portion of the Bill.

MR. REDMOND had no desire to occupy many minutes of the attention of the Committee, because he felt that, after the long discussion that had taken place, almost everything that could be advanced on the one side or the other had been brought forward. But there was one point which occurred to his mind, and which he should like to give expression to on this matter, and it was this. It was in the recollection of the Committee that an extensive and elaborate attempt to incriminate a certain number of the members of the Land League, by legal proceedings in Dublin, had just failed. These gentlemen were charged with the commission of certain acts which, it was alleged, were illegal, and which took place just in those very months to which the Chief Secretary wished to extend the action of the Bill; and he must say that this attempt to render the measure retrospective looked very much like an attempt to make up for their failure in the one direction by seizing on the persons of the gentlemen whom they could not legally convict in open Court, and punishing them under the Coercion Act. ["No, no!"] Well, that might not be the case. He was aware that the Chief Secretary had stated deliberately in the House that the object of the Bill was only to punish men who had committed outrages, or prevent men in the future from committing outrages; but he could not forget that there was a portion of the Bill which proposed to put it in the power of the Government to arrest, and to throw into prison for 18 months, men who could be "reasonably suspected" of having incited to an act of violence or intimidation. Well; but surely an act of incitement to violence or intimidation, according to the theory of the Irish Law Officers, was to be found in almost every speech which hon. Gentlemen sitting around him had made during the Irish agitation or within the past few months. No gentlemen attending these meetings, who had advocated on the part of the tenants a course of action that would prevent individuals of their number from taking farms from which men had been unjustly evicted, would be secure from a charge of having incited to an act of violence or intimidation. That being so, it seemed very like an attempt on the part of the Government, having failed in the ordinary course of justice to prove these gentlemen guilty of any legal crime, to get hold of them and punish them under the Coercion Act. What was it reasonable to suppose would be the first effect of this Bill? Why, the police through the country would feel that they must of necessity show their zeal; and how would they do it? By justifying the words of the right hon. Gentleman the Chief Secretary, who said that the police in every district in Ireland knew the men who had been committing these outrages, and were ready to put their hand upon them. The police, in order to prove their zeal and render their promotion certain, would at once come forward and "reasonably suspect" a large number of persons. In common honesty and fairness the Government ought not to go back before the passing of the Bill. The date at which it passed into law would be a reasonable and fair time for its powers to come into effect. His very limited experience of that House had only tended to prove to him what a much more lengthy experience had proved to other men older in Parliamentary life than himself—namely, that there was no more disheartening work in this world than for an Irishman to come and make an appeal on behalf of his country to the Front Treasury Bench. The difference between the Irish Members and the Government, however, on this occasion was very small. Was it that the right hon. Gentleman had his eye on certain individuals in Ireland, who had committed acts of violence or intimidation in these three months, and that he desired to put his hand upon them? If so, his Bill was not, as he had stated, preventive, but vindictive. Why did not the Government come forward in a conciliatory manner and meet the views of the Members on those Benches? The Bill must become law, he knew. He regretted it; but he hoped they would have an opportunity of still protesting against it. They must look at the Bill in a practical way. He knew it would pass into law; but he was endeavouring to induce the Government to make it pass into law in as conciliatory a manner as possible, and to meet the Irish Members openly and fairly. They did not ask much; only that the Government should act on the recognized principle of all law, which was that no man should be made responsible for an act which, when it was committed, was not illegal. Let the House act upon that principle, and then, at any rate, the Irish people would see that although the Government were determined to pass an Act of Coercion, detestable as it was to them, the views and opinions of their Representatives were not altogether ignored in that House. Let them come forward and, by accepting that Amendment, show the Irish people that they did not always reject the opinions of their Representatives; that in some points they were ready to accept Amendments. If they did that, although he did and should cordially detest the Bill even with the Amendment, still he should be the first to acknowledge that the Government had acted, in that instance, in a fair and conciliatory manner.

Mr. PASSMORE EDWARDS said, he should not have risen to make the suggestion he proposed to make, if it had been advanced by any other Member. It had been stated that a great concession had been made by the Government. He admitted a concession had been made; but it was made to Members of that (the Liberal) side of the House. The general—he might say almost universal—opinion of the House was, that the retroacting power of the Bill was wrong in conception, and would be unjust in operation. The Government having made a concession to that side of the House, he would entreat them to concede a little to the other side. They had been appealed to again and again from the other side of the House; and he believed that the Bill would be equally effective for all the purposes of its existence, if the Government, in the plenitude of their generosity, would accede to the appeal which had been so frequently made to them.

MR. MOLLOY observed that, after the hon. Member for Swansea (Mr. Dillwyn) had brought forward his Amendment, the Chief Secretary for Ireland had made some concession to that side of the House; but it was based on a strange species of logic. He had stated that the intention of the Government was to prevent the commission of outrages in the future; the Government had said, in a fashion, that certain outrages had been committed; but they did not want to punish those who had committed them; and the concession which he made to that side of the House was to name the 1st of October as the day before which the Bill should not operate. If the intention of the Government, as it had been announced by the Chief Secretary, was to prevent outrages for the future, he should like to ask what was the object of naming the 1st of October? because the right hon. Gentleman had stated to the House—although he did not state that he was glad of it—that outrages had practically ceased since the beginning of this year, or that at present there were next to no outrages. If it was only intended to prevent crime, and not to deal with the past, what was the object of naming the 1st of October, seeing that under the Bill he would have full power, if he had reasonable suspicion, or if he had even a wink or a nod from a policeman, that somebody was about to commit an outrage, to arrest such person and deal with him according to the Coercion Law? He was, therefore, unable to understand the object of fixing the 1st of October. It was not to prevent crime, because the Bill gave power to arrest on reasonable suspicion. It could, therefore, only be—and that was one of the weak points in the peculiar logic of the right hon. Gentleman—that he had his eye, or rather the eye of his police, on somebody who had done something in contravention of the law; and he, therefore, wished to be enabled to seize upon that person. He did not know whether the right hon. Gentleman would condescend to answer any question from the Irish Benches; but he would be glad to ask the Chief Secretary to explain his peculiar logic, and to tell the House, if his only object was to prevent the perpetration of crime in the future, why he named the 1st of October. If the 1st of October was fixed, the Bill would deal with crimes or outrages committed, and not with those which were being committed at the present time, or would be committed in the future. He thought the right hon. Gentleman had given an explanation which, to his mind, had no meaning in it—no common sense or meaning in it; and he begged the Chief Secretary to take the trouble to explain—he did not take the trouble to explain very much to that part of the House—the extraordinary logic upon which he founded the peculiar date of the 1st of October.

MR. P. MARTIN admitted that the discussion had now continued for a considerable length of time. But, believing that, if put in force, great injustice might be inflicted on persons whom it was not the desire of the House to subject to the stringent provisions of the Bill, he felt justified in now making his protest against the principles asserted by the Government. If the clause had been confined to those whom the Government stated they had evidence to show knowingly led on and systematically incited others to acts of violence and outrage, he could understand the contention of the Chief Secretary. Experience and the records of the past showed, however, that such persons would take care of their own safety by flight, and ignorant dupes and comparatively innocent persons alone would remain in Ireland. Under those circumstances, he respectfully entreated the House to be very careful before passing the retrospective clause of the Bill. Was it in accordance with precedent that they should give retrospective clauses? Let them go back on the records of the suspension of the Habeas Corpus Act from 1801, and they would find that neither in 1801 nor in 1825, when a new Habeas Corpus Suspension Act was passed, nor in 1848 nor 1866, did any of those Governments claim to have the operation of those Bills made thus generally retrospective. It was true that persons who were in custody under the Lord Lieutenant's warrant when those Acts were passed were allowed to be detained under a warrant signed by six members of the Executive Council. Every one of those Acts was different from the present Bill, and at the time of every one of those Acts—in 1801, in 1825, in 1848, and in 1866—there were proofs given to the satisfaction of the House that treasonable and rebellious insurrectionary conspiracies existed. Former Governments had acted on the plain Constitutional principles of proved necessity. They demanded the concession only of such limited and restricted powers of this character as the circumstances of the times showed to be imperatively required. For the first time the present Government asked the House to depart from this principle. The words which conferred this general retrospective power ought not to be permitted to remain in the Bill. It was perfectly true that they had been offered a species of concession by the Chief Secretary, when he said that the words should be "the 1st of October;" but did that get rid of the principle which he maintained was opposed to precedent, that the Act should be retrospective? Was making the Act retrospective, more especially in respect of crime, in accordance with any principle of jurisprudence? The Criminal Code of every civilized nation rejected the assumption that a man, without notice, could in justice be punished for an act which was not made an offence or crime until after its commission. Our own law was specially careful that no one should suffer for the consequences of any act unless he had previous notice. A very remarkable instance was mentioned in most books on jurisprudence, in which a man, under 39 *Geo.* IV., which created a new offence in respect to maliciously firing with intent, was tried within a week after the passing of the Act, and before notice of it could have reached the place. What was the result? The Act having been passed, he was tried under that Act and sentenced; but the Judges recommended him for pardon on the ground that although, according to law, they were bound to pass sentence upon him, yet, according to every principle of jurisprudence, he should not be allowed to undergo that sentence; and, in consequence, he obtained a pardon. The present Bill was opposed to every principle of jurisprudence, and every principle known to our law. The conduct of the Government during the past Session, and in the earlier part of the Recess, was such as, in his judgment, constituted an estoppel against their now pressing to retain the words which made the provision retrospective. Judge Fitzgerald had declared that, in his opinion, the rules constituted and resolutions passed at the Land League made it an illegal organization. Very many of the meetings, and speeches made at those meetings, if the principles laid down in his recent Charge to the Jury in Dublin were to be admitted, were, in fact, illegal, and must have been known by the Chief Secretary, if he sought the advice of his Law Officers, to have been illegal. Now, how did the Government deal with those meetings? Several questions, it might be within the recollection of the Chief Secretary, were put by the noble Lord the Member for Woodstock (Lord Randolph Churchill), as to what course he intended to take with respect to those meetings. Did he warn the people who were going to attend those meetings, or who were going to make speeches at those meetings, that they had better beware, because he was going to bring in a Coercion Bill, under which they would be held responsible for the meetings? The answers which the right hon. Gentleman had given had led people to believe that those meetings were legal, and that no man would be held responsible for them. The impression was not produced alone by the answers given in the House. In *The Times* he found a report of an application made in the Court of Queen's Bench in Dublin to postpone the recent trial in Dublin, and of an affidavit which was made by the hon. Member for the City of Cork (Mr. Parnell)—an affidavit which remained on the files of the Court, and had not, he believed, been contradicted by the Chief Secretary. If the proposal of the Chief Secretary was adopted, every person who had attended any of those meetings after the 1st of October could be arrested as a matter of course; but the hon. Member for the City of Cork said in his affidavit—

> "These meetings were reported from time to time in the public Press. They were frequently made the subject of comment in the House since the meeting of the present Parliament in the presence of the Chief Secretary and other Members of the Government."

He said, further, that it was never insinuated or alleged—those were not words merely uttered in the House, but had been asseverated, under the solemn sanction of an oath, by the hon. Member for the City of Cork—

> "It was never insinuated or alleged that those meetings were illegal, or the attendance improper, or that the language used was improper."

He then, in that affidavit, referred to a matter which would be in the recollection of hon. Members who had been present during the discussion last Session on the Constabulary Estimates. He said he made a complaint of the attendance of the constabulary at those meetings which were legal and proper; and he received an assurance from the Chief Secretary for Ireland that if those meetings were quiet and orderly, and facilities were given for the Government reporters to attend them, the constabulary would not be required to attend. He said that he stated that at a public meeting in Dublin. Was not that a complete estoppel against the proposal of the Government? It was stated that an assurance was given to the people who attended the meetings that if the meetings were conducted in a quiet and orderly fashion the meetings would be legal; and no plainer evidence could be given than the fact that the constabulary, in pursuance of that arrangement, received instructions not to attend if the Government reporters were allowed to appear on the platform. Under those circumstances, it was monstrous that numbers of unfortunate men should be responsible, as they could be under that Act, for acts which they might have committed in perfect innocence, relying upon the arrangement which the hon. Member for the City of Cork had stated was entered into. He knew not whether it was made or not; but the affidavit was made in open Court, and was reported on the 6th of December, and had never been contradicted. The hon. Gentleman said, further, that he repeated the terms of that arrangement to the League in Dublin; and, of course, it spread throughout the length and breadth of Ireland. Under those circumstances, even if it had been the habit of the House to make such Acts retrospective, a peculiar claim had arisen that the words objected to should be omitted from the Bill. He must say that he thought a great and grievous injustice would be committed unless that was done. When persons possibly innocent, and those who had such good grounds for confiding in the statements thus made, might be subjected, on mere suspicion, to 18 months' imprisonment, he trusted the Committee would not assent to any such proposal as making the Bill retrospective, and so involving those persons in the consequences of acts which they, not unnaturally, considered right and legal at the time.

MR. BIGGAR said, some arguments had been used in the course of that discussion, to which, he thought, it would be no harm to draw some attention. The junior Member for Northampton (Mr. Bradlaugh) had laid down the doctrine that because the general principle of that Bill was agreed to by a large majority, therefore the Irish Members might be easily satisfied with amendments of details. That was a proposition which he had never heard advanced before. If they had proposed to leave out what was the leading feature of the Bill, that argument might have some ground; but what they proposed to alter was strictly a matter of detail, and in doing so they were strictly within their right; for it was clearly open to an hon. Member, when he disapproved of any details, to raise such a point. There was, also, another objection to the argument of the hon. Gentleman; for although the Bill was passed at the second reading by a large majority, that was no reason why the House might not, at some subsequent time, change its mind. The second reading of the Bill was passed at a time of great panic among hon. Members of the House, and it was possible that the House might change its opinion and come to a different decision. With regard to the Amendment before the Committee, the Chief Secretary had told them some things that seemed to be rather peculiar. He said, there were a great number of outrages in the last three months of the last year, and the right hon. Gentleman referred to what he (Mr. Biggar) thought had been explained a long time ago—namely, the threatening letters. His experience of the Return was, that if the threatening letters were excluded there was practically nothing left behind; so that the right hon. Gentleman had no basis for the case in favour of the provision under discussion. But the right hon. Gentleman went further. He said the Bill was not intended as a punishment for retrospective conduct, but to deter from future crime; and that it was intended to act against persons who were notoriously guilty of offences during the last three months. That was curious; because if the parties who committed the outrages were notoriously guilty, why did not the Chief Secretary deal with them under the provisions of the ordinary law? If offences against the law were notoriously committed, the offenders could still be prosecuted before the ordinary tribunals, and there would be no occasion for the present Bill. The Bill did not propose to deal with persons who had committed offences simply, but with parties who were suspected of offences; so that, in point of fact, the contention of the right hon. Gentleman was thoroughly worthless, and he would do well to consent to the Amendment. They had heard a good deal of concession. He did not understand the word "concession." The Irish Members appealed for justice. They did not expect anything from the present Government; but that was the ground upon which any application should be made. They did not want any favours, but simply fair play. They did not expect to get it, but they asked for it. If they got it, they would be satisfied. If they did not get it, the responsibility would rest with those who refused it.

Mr. BYRNE desired to say a few words in support of the Amendment, and in opposition to the clause then before the Committee. It appeared to him that the clause was bad in its conception, and bad in its introduction into the Bill; but it would be still worse if the Committee sanctioned it. The Chief Secretary had gone so far—and that was an admission to the Committee—as to say that, instead of making the operation of the Bill to begin without any limit as to time, he was willing that it should commence from the 1st of October of last year. That was an admission that fell in with the principle for which the Irish Members were contending. It was proposed that anyone who was guilty of any act punishable under the law of the land as it stood, or by the retrospective provision of the present Bill, should be punished after the passing of the Act. Any clause of that kind was exceptional, and one which would not be adopted by any hon. Gentleman in the House—even by those below the Gangway—in their own private affairs. If they were directors of a public company, they would not leave their manager with unlimited powers; and he could picture what the shareholders of the Bank of England would say if the Chairman of that institution asked them to leave, unchecked and uncontrolled, all powers over the finances of that institution. He ventured to say that, as the Committee of that House were so careful and regardful of the interests of every shareholder in every company, introducing into every Act protective clauses checking and controlling the audit of the affairs of the companies—if they went so far in the right direction in a business matter—in a matter like that under discussion, concerning the happiness, the well-being, the liberty, and perhaps the lives of 5,000,000 people, they should take some amount of precaution such as they took in regard to commercial undertakings. The Chief Secretary stated that the object of his Bill was—he did not dispute that he stated what was accurate—to put down actual outrage, or inciting to outrage; and he asked the Committee to give him an urgent remedy. He did not object, for a moment, to give such power; but he did object to the form it was to take, and he thought the House should not grant it. If the Amendment were rejected, any man or woman could be punished in Ireland hereafter for an offence which might have been committed 20 or 30 years ago, and which, when committed, might not have been an offence, but was made so by this Act. [*Cries of* "Divide!"] He should not detain the Committee long; he was not in the habit of speaking at great length. He ventured to say that there should be no misunderstanding, nor misconception, nor any ambiguous language in the Bill. The best way to avoid misunderstanding was to have a good understanding. If the Government would consent to agree to the Amendment, or to the suggestion of the hon. Member for Salford (Mr. Arnold), it would be very satisfactory to the Irish Members. ["Divide!"] Some hon. Gentlemen below the Gangway seemed to be impatient. He could tell them that it was his conviction that if they voted, not from impulse, but from conscientious motives, they would support the Amendment, which had been proposed by one of their own Party. He hoped that the Government would give way upon this point.

MR. LEAMY (who rose amid loud cries of "Divide!") said, he was sorry to detain the Committee. Hon. Gentlemen sitting below the Gangway refused to extend any consideration to Irish Members upon that occasion. He would ask them to bear in mind that they were discussing a clause of a Bill which sought to affect the principles upon which the Constitution of the country was based. The object of the Bill, as stated by the right hon. Gentleman the Chief Secretary, was the better protection of property and life in Ireland. He would ask whether that object would not be sufficiently attained without making the Act retrospective. If the Bill were brought in to punish outrages, the object of it was to strike terror. The very fact of introducing it had struck terror. If that be so, the mere fact of making the Bill a law will, by arming the Irish Executive with exceptional powers, enable them to place those suspected of being guilty under arrest. There were hundreds of men who went upon Land League platforms during the three months now sought to be brought under the Bill, who verily believed that there was no objection to the Land League agitation, and that there was nothing illegal in that agitation. What was the fact? That, during the greater part of the five months' Recess, they never had a single announcement as to whether the Land League agitation was legal or not. There was not the slightest intimation that the Government intended to unearth the old weapon of constructive sedition to present against the people. Another point was this—the law of England was defined either by Statute or by the Common Law of the country; but in Ireland it depended upon the Attorney General. They had seen in the recent trials statements made as to the law. They had seen information filed by the Attorney General which was not the law. ["Question!"] He submitted that that was the question. They were now about to arrest a man on suspicion of inciting to crime, which was punishable by law. What law was that—Attorney General's law, or the law of the land? He would say distinctly that, in some cases where information had been filed by the Attorney General, offences were created by that information which was not known to the law; and if that Bill would empower the Irish Executive to arrest any man reasonably suspected of committing these offences, which were not known to the law, he would submit that it was only fair and reasonable that that clause should be rejected. That Bill should go no further than to empower the Executive to arrest persons suspected of actual crime.

Question put.

The Committee *divided:*—Ayes 193; Noes 61: Majority 132.—(Div. List, No. 33.)

BARON DE FERRIERES, who had given Notice of the following Amendment:—In page 1, line 6, after "either," insert "within six months," said, that through the conciliatory spirit which the Government had evinced in so readily conceding the principle of a limit to the retrospective action of the Bill, the necessity for moving his Amendment had been removed. The object of his Amendment was to place a limit of six months. The 1st of October, mentioned by the Government, was really only five months; and, therefore, the only question he had to submit was whether it would not be best for the Government to accept the terms of his Amendment. Some more explicit terms than those of his Amendment might be inserted, in order to obviate further discussion on the third reading.

THE CHAIRMAN: The hon. Member is not entitled to speak, unless he means to move his Amendment.

BARON DE FERRIERES begged to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

MR. GRAY, in moving, as an Amendment—

In page 1, line 6, to leave out "before," and insert "after the first day of February, one thousand eight hundred and eighty-one,"

said, that the Amendment was not very clearly worded; but the effect of it would be that the retrospective action of the clause would only take effect to the 1st of February, 1881. The subject had been so fully discussed that he did not think it necessary then to occupy the time of the Committee. One of his reasons for mentioning the 1st of February as the limit was that the powers of the Bill might be conterminous with its introduction into that House. He would content himself with simply moving his Amendment.

Amendment proposed,

In page 1, line 6, to leave out the word "before," and insert the words "after the first day of February, one thousand eight hundred and eighty-one."—(*Mr. Gray.*)

Question proposed, "That the word 'before' stand part of the Clause."

The CHAIRMAN rose to put the Question, when Mr. A. M. SULLIVAN rose, amid cries of "Order!" "Chair!"

THE CHAIRMAN said, the Question had not been fully put, and that, therefore, the hon. and learned Member for Meath was in Order.

MR. A. M. SULLIVAN said, it would really be much better if hon. Gentlemen would leave the question of Order with the Chair. They had very narrowly escaped a most unpleasant scene. He rose to say that he hoped some Member of the Government would respond to the appeal that had been made upon that point of retrospective action. The hon. Member for County Carlow had proposed that the Government should accept the 1st of February as the limit. The arguments in favour of such a limit had been already adduced, and he had no wish to take up the time by repeating what had been already said upon the previous Amendment. He must submit that some Member of the Government ought to give the Committee some tangible reasons why it was that they desired to have the opportunity of going back upon the past. If the people were law-abiding and peaceable, why not accept the limit of the 1st of February? If the country were peaceable, crime had disappeared, and disorder was at an end, why was it necessary to go back to the past at all? If there were disorder after the 1st of February, they would have sufficient powers, under the Bill, to meet it; they would have almost as much power as any despot ever had. There would be no trial by jury, and no accusation; but sworn information, based on the suspicions of 11,000 policemen with 20,000 spies at their back. Was it possible that the Government of England could not be secure, nor preserve peace, without such assistance as that? They now asked to be allowed to go back upon the past, which ought to be buried and forgotten, unless they wanted to make Ireland a hell upon earth.

MR. LODER asked, whether the terms of the Amendment could not be altered so as to make it more intelligible?

THE CHAIRMAN: As the Amendment reads it seems to introduce an alternative procedure into the clause. I do not know whether it is the intention of the Mover to press it in its present form, or to substitute one of a simpler character.

MR. T. P. O'CONNOR said, he really must appeal to the Ministers to say something upon that question. Up to the present they had had upon that important point, one of the leading points of the Bill, only one expression of opinion from the Treasury Bench. He saw there the right hon. Gentleman the Prime Minister, and the right hon. Gentleman the Chancellor of the Duchy of Lancaster. Why did not they stand up and tell the Committee why there was to be this retrospective action? He understood perfectly the reasons given by the right hon. Gentleman the Chief Secretary; but he wanted also to know the reasons——

THE CHAIRMAN: Order! The hon. Member for Carlow (Mr. Gray) took a judicious course when he simply moved his Amendment, the subject having been already fully considered. It is impossible to allow a general discussion again upon that subject. The only question which can now be discussed is, whether there be any reason for introducing the words "after the 1st of February, 1881," into the clause.

MR. T. P. O'CONNOR said, that on the question whether the action of that Bill should be limited to the 1st of February, he would only say that if they began then they would be armed with all the powers required; whereas, if they went back to October, it must be considered that the object of the Government in so doing was to catch the people who had been merely engaged in a Constitutional and legal agitation. He wanted to know from the Treasury Bench what was the real meaning of that Bill. Was it to enable the Government to imprison men who had been guilty of crime, or those who had been merely engaged in a Constitutional agitation?

DR. COMMINS said, with regard to the form of the Amendment, it would make the Bill run—"either after the passing of that Act or after the 1st February." It was pretty clear that the Act would not be passed prior to the 1st February, so that if the hon. Member for Carlow (Mr. Gray) left out the former portion of the phrase he would be quite in Order. He certainly should like to ask what was the object of the Act? Were they to have civil war brought upon them?——

THE CHAIRMAN: Order! The Question before the Committee is not the object of the Act, but whether the words "after the 1st February" be inserted in the clause. The hon. Member must confine himself to that Question.

DR. COMMINS thought he could make his argument perfectly clear if he was allowed to finish it. He was sure that the Chair, in interposing, had acted with the best possible intention. Even where civil war had existed amnesties were granted; and were they to have an amnesty now, or was it to be in the power of the Government to go back vindictively, and punish for words spoken before the 1st of February? If Her Majesty's Government showed now that they were simply actuated by vindictive motives, they would manifest a spirit which had not been manifested even by persons who had embarked in a bloody civil war.

MR. JUSTIN M'CARTHY would only say one word upon the question. He knew what a serious difference it would make to persons in Ireland whether the 1st of February or the 1st of October was the date named for the measure to come into operation. If the Bill were to come into operation on the 1st of February, people would have notice given to them that it dated from that time, and they would be unable to say, if they broke the law, that they had done so without notice from the Government that they would be held amenable to the stringent provisions of the Bill; but if they fixed the 1st of October as the date, they would make it apply to men who, in addressing the meetings of the Land League, had no more idea that they were breaking the law than he had. But the Press goaded on the Government——

THE CHAIRMAN: I must draw the attention of the hon. Member to the fact that the Committee have already decided, by the last vote, the principle, and the question was now limited to a particular date.

MR. JUSTIN M'CARTHY said, he had been speaking strictly to that Question, and to no other whatever. He was trying to show that the 1st of February was a preferable date as a limit to the retrospective operation of the Bill to the 1st of October, and he had not said one word on the general question. What he wanted to point out was that men speaking at public meetings of the Land League before the 1st of February were under the impression that they were doing so under the sanction of the Government and of the law. That impression was made even stronger by the course taken by Her Majesty's Government in refusing to respond to the many appeals that were made to them to proceed against the persons who at that time were taking part in the agitation. Therefore, if the Government made the Bill retrospective and fixed the 1st of October as the date, they would have been positively deceiving and misleading men who had acted in the full conviction that they were performing a public duty, and that they were not placing it in the power of any hireling, or underling, or common informer to secure their apprehension. He sincerely trusted that Her Majesty's Government would not adhere to the limit of the 1st of October.

MR. J. COWEN said, he would obey the ruling which the Chair had strictly laid down to other hon. Members; and he would compress into a single sentence what he and others with him were contending for. If the Bill was allowed to have retrospective action, it was vindictive. If it was allowed to have prospective action, it was preventive. The Amendment before the Committee was to allow the Bill to come into operation on the 1st February. The Government had declared repeatedly that they had no vindictive or revengeful feeling towards the promoters of the agitation in Ireland. If that was their intention, they had no need to seek retrospective power; but the fact that they were insisting upon it justified the worst suspicions entertained in Ireland that they were seeking these powers to use them in a vindictive spirit.

MR. T. D. SULLIVAN was also an advocate for the 1st of February as the date upon which the Bill should come into operation, if it was to come into operation at all. He wished to point out one consideration which ought to guide the Committee in the selection of the date. There were two Members of the House who would be especially exposed to danger if the Irish landlords continued of the same frame of mind they were last autumn. Those Gentlemen were the right hon. Gentleman the Prime Minister, and the right hon. Gentleman the Chief Secretary for Ireland. No two Gentlemen in the House had been more violently denounced by the landlords as inciters to turbulence, inciters to crime, and inciters to outrage in Ireland than those two right hon. Gentlemen; and if the Irish landlords were still in the same frame of mind, and Her Majesty's Government made this Act retrospective, the Prime Minister and the Chief Secretary would be the two first men arrested. The landlords, if there was any consistency in their conduct, would at once declare that these right hon. Gentlemen were "reasonably suspected" of having incited to acts of outrage, and that, therefore, they came within the provisions of the Act. It was very likely that the Irish landlords would not act in this way, and why? Because the right hon. Gentleman the Chief Secretary had purchased peace from them by trampling on the rights of the Irish Members, and offering up as a sacrifice to them the liberties of the Irish people.

Mr. ARTHUR O'CONNOR protested against the indefiniteness of the retrospective character of the Bill.

Mr. LODER rose to Order. He wished to ask the opinion of the Chairman whether the objection which had been raised to the Amendment was not fatal to it?

The CHAIRMAN: I have already decided that although the Amendment is not very clearly put, it reads grammatically, and as an alternative, which I gather is the object of the hon. Member in putting it.

Mr. ARTHUR O'CONNOR said, the Chairman had already put the Amendment; and, therefore, he conceived that it was perfectly in Order to discuss it. He was strongly of opinion that the wording of the clause, as it now stood, should be amended. He gathered that the objection which had been taken to the clause would have been fatal to it.

The CHAIRMAN: The Committee have not yet come to any decision in regard to the wording of the clause beyond the word "either."

Mr. ARTHUR O'CONNOR said, the object of the present Amendment was perfectly clear. It had been decided that the Bill was to have a retrospective effect; but the retrospective character it was to have was at present indefinite. Those who were in favour of the Amendment wished to make it definite, and to limit its scope in point of time to the 1st of the present month; because they believed, as the hon. Member for Newcastle (Mr. Cowen) had already pointed out, that if it was made retrospective for a period further back than the 1st of this month it would be used, whether the Government intended it or not, in a manner that would be simply vindictive. The right hon. Gentleman the Chief Secretary for Ireland said, the other day, that the outrages of which he complained were the direct result of a certain number of meetings which began to be held in the first week of the month of October. It was perfectly plain, therefore, that the object of the Government, in proposing the 1st of October as the date at which the operation of the Act should commence, was to seize a number of men who, at the present moment, were quiet, and were acting in a perfectly Constitutional manner, but who, in consequence of certain things which they did in the month of October, had incurred the displeasure of Her Majesty's Government. But it must be borne in mind that these men had had no warning; and if the Bill was allowed to pass in the terms which the Government proposed, the effect would be that a number of persons who had been allowed to be at liberty for months, without the least suspicion that that liberty would be interfered with, would be pounced upon for offences they had almost forgotten. He had no doubt whatever that if the Bill was made retrospective and carried back to the 1st of October it would be made use of for vindictive purposes; and even if the Government did not wish it to be so used, it would be perfectly impossible that they could clear themselves of the suspicion that they were using it for a vindictive purpose. For these reasons he hoped that the Government would accept the Amendment which had been moved by his hon. Friend the Member for Carlow (Mr. Gray).

MR. MACDONALD thought the ends of justice would be amply served by limiting the date for the Bill to come into operation to the 1st of February. He had seen it stated—and it certainly might be true; but whether the report had official inspiration or not he was unable to say—that already 1,200 persons in Ireland were marked out for arrest. The net was at this moment being spread for them. No less than 1,200 persons were to be bagged at once; and if that were really true, then the statement of the hon. Member for Newcastle (Mr. J. Cowen), that the retrospective operation of the Bill was clearly vindictive, was borne out to the letter. Indeed, he failed to see how there could be any other object in putting the date of the Bill back to the 1st of October instead of selecting the 1st of February. He thought that such a course was altogether unworthy of a Liberal Government, and only fit to be associated with the worst Acts of the most despotic Governments in the world.

MR. O'DONNELL wished to call the attention of the Government to the fact that the last vote taken proved that a large number of Members of the House, including Representatives of Ireland of all shades, except, perhaps, extreme landlordism, were entirely in favour of taking away the retrospective character of the measure altogether. The proposal now was only to limit the retrospective character; and he hoped the Government would see their way to making some concession. It had been suggested that that concession should be a limitation of the date to the 1st of February instead of carrying it back to the 1st of October. The concession which had been suggested on the part of the Government, that the 1st of October should be the date, was no concession whatever; and he thought the effect of leaving the 1st of October as the date would be most injurious to the credit of the Government. It was to the interest of all parties to make both the law and the Government respected in Ireland. Would it not be better then to fix some date at which the people of Ireland affected by the Bill would have had fair notice of the penalty impending over them? If they left the people without warning up to the last moment, without a word of admonition, without a word of menace, and then to hand them over by a Bill of this description to the tender mercies of a police spy, to be denounced at will as the most revolutionary agitators in Ireland, Her Majesty's Government would only have been engaged in laying a base trap for the Irish people. If he were speaking as a Separatist, or as an enemy of English rule in Ireland, he would advise the Government to continue such a course of conduct, and to go on laying traps for the Irish people.

Question put.

The Committee *divided:* Ayes 218; Noes 63: Majority 155.—(Div. List, No. 34.)

MR. O'DONNELL said, in rising to move as an Amendment in page 1, line 7, the omission of the words "high treason," he hoped with some confidence that he should obtain the support of a very considerable number of hon. Members of that House. The first objections to the appearance of these words in connection with the measure of the Government, intended, as they told the House, to put down crimes and outrages attendant upon agrarian agitation was that high treason had nothing on earth to do with agrarian agitation, and that no proofs whatever had been laid upon the Table of the House of the existence of any treasonable movement. There had not been an attempt to justify the statement that there was any treasonable movement in Ireland; and the scope of this Bill for the repression of agrarian offences, and for the wholesale and individual arrest of the Irish people, was already sufficiently vast without impertinent, vague, unproved, and unprovable charges of the existence of a treasonable movement amongst the masses of the Irish population. He complained of the introduction of this reference to high treason as a surprise that had been sprung upon the House. Her Majesty's Government had prepared the House, by statistics on the subject of agrarian offences, to believe that they were under the impression that the character and number of agrarian offences in Ireland were such as to require special legislation. But why introduce this extension of a measure for the control of agrarian excesses, to the vastly graver and more important subject of an alleged treasonable movement? Before the charge of treason was attempted to be attached in this underhand way to the land movement, Her Majesty's Government ought to have laid before Members of the House some statistics—some information other than that of the anonymous character in which they delighted in order to give some colourable grounds for their wholesale charge of treason against the Irish people. No charge of treason could be more wholesale, for they claimed the right to ask for power to arrest and imprison at their pleasure from one end of Ireland to the other any number of victims they might choose upon the assumption that treasonable movements were of such importance and had such a dangerous prominence in the social state of Ireland that nothing less than this wholesale outlawry of the nation would meet the exigencies of the situation. He asked Her Majesty's Government, before coupling in a single class charges of high treason and charges of agrarian excesses, as if to imply that the leaders of the agrarian agitation were also traitors—before attempting in that underhand way to prejudice the cause of agrarian Land Reform by the charge most odious in the ears of law-abiding citizens, whether they would not lay upon the Table of the House some evidence, no matter how slight, or some reason even, for applying a charge of this description? High treason was a most dangerous crime, and the gravity of the crime demanded a certain gravity in the procedure to be applied to its detection and punishment. It was not upon vague hearsay, nor upon insinuations in the dark, that charges of high treason should be brought either against nations or individuals. Had Her Majesty's Government sufficient proof of high treason to convict a single individual in the whole Irish nation? If they had even that much evidence, why was it not produced? If, according to evidence of their spies, informers, and magistrates they had sufficient *primâ facie* evidence to bring a single Irishman before the magistrates to be committed for trial, why had they not brought it forward? They had not brought a single man before the magistrates in Ireland on the charge of high treason. They could not allege, in this case, the breakdown of the ordinary law, for they had not attempted to put it into execution. The first hint of alleged suspicion of the existence of a treasonable movement was to be found in a mass of irrelevant matter contained in the speeches which officials had imposed upon the House. But there had been no trials, no proofs, and no accusations. They had not even heard the name of the conspiracy, nor had stated a single one of the usual grounds which had always governed the most Conservative as well as the most Liberal in similar cases. When the former Government had been asked to suspend the Habeas Corpus Act in Ireland—that was to say, the Constitutional liberties of the Irish people—on account of the existence of a treasonable movement in that country, they came down to the House armed with proofs and with documents they had seized, as well as with informations and depositions of informer after informer. But, on the present occasion, Her Majesty's Government had not produced the deposition of a single informer in order to give colour to the truth of this monstrous accusation against the Irish people. Even in the English journals most hostile to the Irish cause the utmost attempt to give colour to the charge of treason was based on some words of an Irish speaker that he would not have taken such an interest in Land Reform if he had not seen Home Rule behind it. But Home Rule was a Constitutional movement, and it was not upon that Her Majesty's Government could base their accusation of high treason. He challenged the production of a scrap of evidence. He and his hon. Friends considered it no evidence to have an official without experience of Irish affairs, without producing a single witness, bending over the Table of the House, and, in accents of simulated terror, assure Parliament that if he had only liberty to say all he could tell the House wonders. But they asked not for wonders, they asked for the smallest instalment of evidence. He observed in his place the right hon. Gentleman the Chancellor of the Duchy of Lancaster. Let it be acknowledged that the right hon. Gentleman would not have consented to the abrogation of the liberties of the Irish people unless he had some statistics to convince him that there was a necessity for legislation on the subject of agrarian crime; but he would not rise in his place to say that evidence had been laid before him, or that information had been laid before him even, the general character of which he could communicate to the House as justifying the suspension of the Constitution in Ireland on the monstrous, ridiculous, and unproved charge of the existence of a treasonable movement. The course pursued by Her Majesty's Government was an innovation in that House, where English Members were but too accustomed to treat Irish matters as of purely secondary importance. In their denial of this he willingly took hon. Members at their word, and asked them whether they would grant a suspension of the Constitution in England on a whispered charge of the existence of a treasonable movement in England in support of which no single scrap of evidence had been produced before any section of Parliament? Why they would scout such a manœuvre as base, discreditable, and despotic in the highest degree. What, he asked, would be the result of sentencing Irishmen, on the unproved and false charge of high treason, to all the special penalties to be inflicted on persons suspected under this Act? Her Majesty's Government had not even alleged the existence of an imaginary band of dissolute ruffians in support of their allegations of high treason. No one had yet said there existed in Ireland any confederacy or body deserving of notice in such a manner as this. Of course, in Ireland, as in England, there would be men of extreme opinions who would use words that in the eyes of lawyers would be equivalent to the declaration of treasonable opinions; but even that allegation had not been made in the House. Neither treasonable speeches, nor treasonable acts, nor treasonable intentions, had been brought under their notice, nor had there been any attempt to use the ordinary law against the alleged treasonable practices. Not a man in broad Ireland had been even accused of treason; and yet, in the absence of accusation and proof, Her Majesty's Government came forward and tried to foist into an agrarian Bill this monstrous charge of high treason against the Irish people. If they were not prepared to lay upon the Table of the House full justification of their charge, Her Majesty's Government must be regarded as the too willing dupes of a most monstrous gang of calumniators that ever lied away the reputation of a country.

Amendment proposed, in page 1, line 7, to leave out the words "high treason."—(*Mr. O'Donnell.*)

Question proposed, "That the words 'high treason' stand part of the Clause."

DR. COMMINS said, this measure had been constructed with a precipitancy and confusion of mind, as well as ignorance of principle, that was simply disgraceful to its author. He could not believe that either of the Law Officers of the Crown had put their hand to it. Every six months' student of law knew there was no such thing as an accessory in high treason; and, therefore, in the Bill they had the introduction of a term and principle unknown to the law, which was an attempt to widen the net by which people might be brought within charges of high treason. For several hundred years precautions had been taken for the purpose of protecting individuals from having such charges falsely made against them. Such charges had to be made within a limited time, and proved by a prescribed number of witnesses. But here there was no restriction whatever. People were to be brought up upon a charge of treason upon suspicion only; and, therefore, the introduction of these words in the Bill he arraigned as showing there was a deliberate intention so steal away the character and liberties of the Irish people on false charges. But he believed this had been done in the grossest ignorance of the law of England, and of what had been already done to protect the people of England and Ireland from trumped up charges of treason.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) said, that documents and proclamations had appeared indicating the existence of a treasonable conspiracy in Ireland; and their simultaneous appearance in every part of the Kingdom fully justified the insertion of the words "high treason" in the Bill. Of course, this was not a matter of which, from the nature of the case, regular proof could be laid by the Government upon the Table of the House. He would only say that the Government had reason to suspect the existence, more or less of treasonable conspiracy. But the idea of bringing a charge of high treason against the whole Irish people, and of doing them such an injustice, was perfectly absurd, and had never for a moment been entertained by Her Majesty's Government. The provision was needed only against those comparatively few persons who were trying to carry out treasonable proceedings, and, as the Government had reason to believe, doing so under cover of the land agitation. It was quite right to say that there could be no accessory in high treason, all concerned being principals; but the Bill was framed to deal with three classes of crime—treason, felony, where there might be accessories, and misdemeanours, and the draftsmen had classed them all together. The Government, he repeated, had reasonable grounds for supposing that there existed a treasonable conspiracy in Ireland, and from this they were anxious to protect the Irish people.

Mr. A. M. SULLIVAN contended that the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Law) had laid it down that a man could be confined for having the document referred to in his pocket—that was to say, the proclamation concerning which there had been no proof at all. Who, he asked, put up that proclamation, and who came to the aid of the Government? Her Majesty's Government had their Blue Book, with its Return of window-breaking and hen-stealing; but they had discovered that they had no case whatever of treason. Who, then, made their case? *Cui Bono?* Who was to be benefited by this proclamation? The Attorney General for Ireland knew very well that in the history of Dublin Castle such facts had been discovered, and were on record, that proclamations of the kind had been concocted by the police. The right hon. and learned Gentleman was not in the House when he quoted the names of persons who had been guilty of conduct more atrocious still; but now he quoted this proclamation as a pretext for putting the words "high treason" into this Bill. He who hides can find. Hon. Members might think that no Government would employ a man, or suffer their police to employ a man, to go out with the Government pay for the purpose of swearing men to secret societies. But he had given the names of persons who had done so. The story of the Attorney General for Ireland about these proclamations proved too much. The proclamation had been posted, he said, as extensively in England as in Ireland. Why, then, did not Her Majesty's Government extend the Bill to England? Because there was no man on the Treasury Bench who dared to introduce the Bill, for no one would tolerate it, even if proclamations were as thick as blackberries in autumn. The English people would want something more than window-breaking to justify the introduction of a Coercion Bill for England. But there were iron shutters on windows in this city where English people had broken windows; and he would tell the House that houses and castles would blaze, as they did in 1831, if such a Bill were attempted to be introduced. The announcement of high treason raised a new ground, just as the doctrine of treason-felony, which the House of Commons invented, was a new crime in dealing with Ireland, which was wide enough when it was desired to deal with anything touching on treason. This mode of proceeding was not unlike that confessed to by the shorthand writer who appeared as a witness for the Attorney General for Ireland at the trial at Dublin, who said he only took one sentence in seven, because if he had not done so the report would read nonsense. He had only risen to protest against inserting "high treason" in the Bill upon no evidence whatever. The Government had nothing to produce but this mysterious placard, and it was well known that those placards had been got up in former times. The wretch Talbot, who pretended to be a Catholic, and had knelt at their altar rails, was not alive; but his acts were with their memory, and what policemen had done in times past they would do again. That abominable wretch, in the pay of the Government, admitted on oath that he had pretended to be a Catholic; and he had taken the Holy Eucharist in order to draw men into the Fenian conspiracy.

Mr. W. E. FORSTER: Sir, I have sat through these debates, and have heard with great indifference charges made against myself, although they have been charges such as, in my recollection, have never been made by Members of the House against hon. Members holding official positions; but I cannot allow to pass the utterly unfounded charges which has been made against the authorities of Dublin Castle in reference to these proclamations or placards. I will not trust myself to use words in the endeavour to describe this charge; and I will only state my belief that if I were to search for the strongest term which Parliamentary usage would allow me to use it would scarcely be sufficiently expressive. The hon. and learned Member for Meath has charged the officials at Dublin Castle with manufacturing this placard, and with scattering it throughout England, Ireland, and Scotland. Of course, the absurdity of the charge is its refutation; but I should not be fitted to represent the Irish Government were I not to express my wonder that the hon. and learned Member should have allowed himself to make such an insinuation. But the placard was not the sole reason why the words "high treason" were introduced into this Bill. The ground was, as I stated in bringing the Bill forward, that we believed, and had reasonable ground to believe, that individuals in Ireland—not the mass of the Irish people—but individuals who could do harm in Ireland, would take advantage of this agitation for treasonable purposes. I stated that I would bring forward proofs, and I must ask the House to believe that, when I made my speech a few days ago, these proofs were presented. The hon. and learned Member brings before us the extraordinary supposition that these placards were simultaneously posted all over England, Ireland, and Scotland by the authorities of Dublin Castle. To the minds of the enormous majority of Members of this House the fact that the placard was so simultaneously posted will show that, in all probability, it was posted by the members of a strong organization. That is the sole reason why the matter was mentioned.

MR. DILLON said, the right hon. Gentleman had stated, in justification of including these very grave and serious words in the Bill, that the Irish Government believed, and thought they had reason for believing, that there was a certain conspiracy on foot in Ireland of a treasonable character. But he (Mr. Dillon) would ask whether, in the whole history of Ireland, any Minister had ever come down to the House and asked for the suspension of the Constitution on his mere statement that he had reason to believe that there was a conspiracy of a treasonable character on foot in the country? The Constitution had been suspended in Ireland more than once on the plea of treasonable practices; but never, that he was aware of, on the mere *ipse dixit* of one Minister. He had read descriptions of the debates which took place on previous occasions when the Constitution was suspended in Ireland; and the very fullest, and certainly very convincing proof was brought forward, and brought forward in detail, showing how necessary Ministers felt it to be in order to prove their case. He did not believe that any Minister, in the whole history of Parliament, ever did what the Chief Secretary had done here to-night—that was, to ask the House to suspend the Constitution against men who were accused of treason without offering one shred of evidence in support of his case—at any rate, the right hon. Gentleman had fallen back upon the only shred of evidence he was able to bring forward—namely, this placard, which came so opportunely to his assistance. He (Mr. Dillon) should not have touched this placard if there were not a much deeper question underlying it than appeared on the surface. He was sorry to say that he had good reason to believe that the officials of Dublin Castle were deliberately concocting an imaginary conspiracy for the benefit of this House and the English people. ["Oh, oh!"] Well, he believed it, and he did not know on what day, or at what hour, this imaginary conspiracy might not burst upon them in Ireland at its full force, and when a number of them might find themselves arrested. ["Hear, hear!"] He heard an hon. Member say, "Hear, hear!" and, no doubt, the hon. Gentleman considered some of the Irish Members ought to be arrested; but he might, at least, have the fairness to let them attempt to save their liberties. In Dublin, at the present moment, a condition of things was existing which, he supposed, was unknown to most of the Members of the House. Guards were being doubled; men were being kept up at night armed to the teeth parading round all the barracks and arm stores; pickets were stationed out at a distance at night, as though they were part of the garrison of a town in the midst of a hostile country. Some hon. Members might believe that they were on the eve of a revolution in Ireland; but he (Mr. Dillon) did not believe they were, unless Dublin Castle did what it had done five or six times before in the history of the country—namely, deliberately drive the people into rebellion. Hon. Gentlemen might believe he was stating what was a very far-fetched and foolish notion; but he would ask the Government what was the meaning of the large garrison such as was now in the City of Dublin, conducting itself as though it were encamped in a hostile country and in face of an enemy, if it were not to irritate and goad the people into acts of violence, and, what was more important and to more immediate purpose, to lead the people of England to the belief that he and those with him were engaged in a treasonable conspiracy to overthrow the authority of the Crown in Ireland. He had reason to believe this was one of the deliberate objects of the extraordinary proceedings that were going on now, not alone in Ireland, but in England also. Did anyone believe that the rumours which were flying about this country—which had set Manchester into a panic, and had induced many in the North of England, who at ordinary times were cool-headed people, to believe that they might at any time be blown up by Irish dynamite or gunpowder—came from Irish sources? He believed they came from men who had Irish landlords' money in their pockets, and who, seeing the Irish Members obstructing this Bill and raising a feeling against the Irish landlords in the minds of the democratic people of England, were raising such a storm as would render it impossible for the Irish Members to save the Irish tenants. He was expecting to be called to Order by the Chairman for travelling over such a wide range of the question; but there was a connection between the point he was addressing himself to and the question before the Chair—namely, the operation of this conspiracy to force the Coercion Bill through the House, and raise a prejudice in the minds of the English people against the Irish Members. It was most unjust for a Minister to come down to the House and say—"I won't show you my hand. Deep and dark treasonable practices, under cover of the Land League, are going on in Ireland, of which I have no proof I can show you; but you know me to be a truthful man, and here in my Bill I put in words which show on my undoubted faith that the people of Ireland are pretending to be Land Leaguers, but are, in reality, conspiring to overthrow the Throne in Ireland, and set up a Government of their own." He could assure Members who were anxious to approach this question in a spirit of fairness and justice to Ireland that there was much more concealed beneath these words than they imagined, and that if those words were allowed to remain in the Bill rendering it retrospective, they would be availed of before the month was out to imprison men whom they knew, and whom the Government might declare they suspected of inciting to acts of violence. Men like Mr. Davitt—who never incited anyone to acts of violence—would be arrested, and when Ministers were challenged as to why they had arrested so-and-so, they would fall back on the deep and dark treasonable conspiracy which they now spoke of, declaring—"We cannot tell the House—it would not be to the interests of the Public Service to inform the House—what the conspiracy is, or what this man was engaged in; but we have proofs against him collected by two or three of the ordinary staff of Dublin Castle;" and this staff, it was well known, had been largely reinforced from England of late. These were some of the reasons why the Irish Members thought they were justified in making a steady, a determined, and a last appeal to the justice of this House on these questions—first, as to the insertion of the words "high treason"—because they said no Minister had a right to come down and accuse a nation of high treason, and then, when asked for proof of his statement, to fall back upon his own honour and high character to enable him to put his word against the good name of an entire people—and then as to their being accused before the whole world of being engaged in a treasonable conspiracy, and by that means facilitate the passing of the Act and prepare the way for its future use, without this proposed limitation.

SIR JOHN LUBBOCK was sure the Committee would sympathize with the Chief Secretary for Ireland in the indignant denial he had given to the serious charge brought against him by the hon.

and learned Member for Meath (Mr. A. M. Sullivan). He (Sir John Lubbock) had thought the hon. and learned Member, when he rose just now, was about either to apologize or to bring forward some evidence that had led or misled him to make the accusation; but, as he had not done so, he thought the hon. and learned Member for Meath was bound to retract the serious charge he had made.

MR. GRAY said, that when he had seen the Chief Secretary for Ireland rise a few minutes ago, and heard the indignant and highly effective speech he made, he had come to the conclusion that the right hon. Gentleman had somewhat mistaken his vocation, and that really in his youth he ought to have taken to the stage. He would have been there a far more unquestioned success than he even was in the House of Commons. He had never seen the right hon. Gentleman less lamb-like. The Chief Secretary had risen to deny in indignant terms the charges that had been made against him by the hon. and learned Member for Meath; but he only ventured to deny one of them, and that was the least serious. The serious charge made against the officials of Dublin Castle—the permanent officials, who were working now as they were working years ago—was that they were suborning witnesses to give evidence. A charge was made that an official of the Government—[Mr. A. M. SULLIVAN: I gave the names.]—it was charged against the Government of Dublin Castle that Talbot, a man in their pay, had pretended to be a Catholic, had gone to Catholic places of worship, and had partaken of the most sacred of the sacraments of the Catholic Church, in order to induce confidence in his dupes, whom he swore in to be Fenians in order that he might betray them. There was another man, Casey by name, who was arrested as a suspected person — ["Question!"] — these were sufficiently grave matters to be worth the consideration of the Committee — but Casey was released by the Government, and sent out as their emmissary to swear in by hundreds Ribbonmen whom he then denounced and had imprisoned. It was asserted—and justly asserted—that these officials, who were guilty of these crimes of suborning witnesses within the memory of living men—even within the memory of hon. Members of that House —would, under similar circumstances, in all probability, commit similar crimes. The Chief Secretary denounced as atrocious the suggestion that the machinery of the Government, which had in the past adopted measures of this kind to attain its end—sending out blackguards for the purpose of exciting suspicion of a conspiracy—would, under similar circumstances, pursue a like course. Would any reasonable man say that the Government who would be guilty of employing a Talbot to perform the work which had been described, and which the right hon. Gentleman had not ventured for one instant to deny, might not fairly be suspected, at least, of being guilty of a very much smaller crime? Was that an unreasonable position to take up, and should it so much excite the indignation of the right hon. Gentleman? He agreed with the Chief Secretary that he (Mr. W. E. Forster) had been sometimes the subject of attacks in the House which had not been always justified; and he hoped it would not be thought that he (Mr. Gray) had taken any part in making those attacks. He had never intended to take part in them, at any rate; but here was a fair and legitimate argument, and it must be met by something more than mock indignation. He confessed he felt very indignant on this subject; and, if the Committee would pardon him, he would tell them why. There were many hon. Members in the House who knew the late Sir John Gray, who was a friend of O'Connell, and not a Member of the Revolutionary Party, for he had always sought to bring about the changes he had in view by Constitutional means. He had endeavoured to dissuade the Young Ireland Party from breaking out into open revolt. Previous to the outbreak of 1848 he was accosted by a person, whom he ascertained afterwards to be the notorious Jemmy O'Brien, then an old man, but notoriously having been connected with the '98 movement. This man put before him a proposal, or endeavoured to put before him a proposal, showing the feasibility of an armed revolution in Ireland. The man was so plausible, that some of the men connected with the '48 movement listened to him, and actually called a meeting to receive his proposals for a revolution. It so happened that Sir John Gray lived at Claremorris, where also resided the son of the late Major Surr, a clergyman. On one occasion, calling upon his neighbour, the Rev. Mr. Surr said to him—"Sir John, you are very much interested in the affairs of Ireland; here are some of my late father's papers—if you look over them you may find something in them to interest you." He looked amongst them, and he found there a list of payments made by the late Major Surr to this O'Brien for swearing away the lives of men in 1798; and this old ruffian was found, in his old age, at the same game he had been engaged in in his youth, endeavouring to bring men to the gallows. That was the policy of the Government in 1848; by the same machinery they brought men to conviction in 1865; and they would pursue a similar course in 1881. They would be asking the House by-and-bye to vote £20,000 for secret service money, and would refuse to say how much they intended to use in Ireland. But the Irish Members knew what the money would be wanted for, because they knew what it had been used for in the past. The hon. Member for Tipperary had said—and no doubt it was a fact—that up to this no Minister had ever come to the House and asked for the suspension of the Habeas Corpus Act in Ireland without bringing forward some kind of proof, or without the condition of the country itself being proof sufficient to convince any man that treason existed in an active form in the country. There was no such proof brought before the House at the present moment. The country was peaceful. ["No, no!"] If the hon. Gentleman who said "No" would stand up and give them one tittle of proof he would be satisfied. There was no proof that treason existed at this moment in Ireland beyond the placard, which the right hon. Gentleman said he did not depend upon, because his Bill would have been introduced in the same form if that had not been posted. Was it not reasonable for the Irish Members to say that a Government with such antecedents, when it asked for the suspension of the public liberty, should bring forward some kind of proof of the justice of its demand, and that this proof should be exacted on the present occasion? The Chief Secretary, when asked for proof, had said—"I cannot give it to you—you must take my word for it." He disposed of the whole matter in his speech in two moments, and the House said "Hear, hear!" showing that it was quite prepared to take his word. He (Mr. Gray) would remind the House of an instance quoted during a former debate. Mr. Frank Porter, a magistrate, when he retired from the Bench, published an interesting book of his reminiscences, in which he declared that it was only within a year or two of his retirement that he became aware that in Ship Street, near the Castle House Yard, the suborned perjurers lived and held mock trials. Mock counsel were engaged, and the whole paraphernalia of a trial was carried on, and these witnesses were trained to give perjured evidence. Would the right hon. Gentleman deny that? When he rose a few minutes ago, not only did he fail to rebut the charges made against Dublin Castle, but he could not rebut the natural deductions which were to be drawn from them. He could not deny that what the officials of Dublin Castle had done in the past the living men were prepared to do to-day. He could not deny the charges brought against past officials; therefore, he was not justified, logically, in being so very indignant at their assuming that Dublin Castle would do similar things in the future.

Mr. T. P. O'CONNOR was sure the Chief Secretary could scarcely have reflected on the language of the hon. and learned Gentleman the Member for Meath (Mr. A. M. Sullivan), when he rose so indignantly to reply. The hon. Baronet the Member for the London University (Sir John Lubbock) was mistaken in supposing that the hon. and learned Member made any personal charge against the right hon. Gentleman. When it was stated in the House that a Department did certain things through its subordinates, or that a certain number of subordinates did certain things, no one necessarily implied that the person at the head of the Department either knew or——

Mr. W. E. FORSTER: I think I stated the case clearly, that I was not replying to any charge made against myself. If it had been made against myself I should not have replied to it. I was replying to a charge which I understood to be made against gentlemen in Dublin Castle—against some of the leading officials, who, it was said, had caused a certain placard to be posted up.

MR. T. P. O'CONNOR did not think his hon. and learned Friend meant to charge any leading officials. What the hon. and learned Gentleman had said was that the police were known to have done these things in the past, and that what police agents were known to have done in the past they would do in the future. "Dublin Castle" was a very comprehensive term, which might mean the right hon. Gentleman the Chief Secretary or any backstairs policeman. What he would challenge the right hon. Gentleman to do was this, to meet the charges that were made, not the charges that were not made. No one made a charge against the officials of Dublin Castle. ["Oh!"] No; the charge was that the administration of Dublin Castle was such, that acts like these were bound to be committed by the subordinate officials. He did not, however, care to dwell too much upon that question. [*Laughter.*] Well, if the Committee wished him to dwell upon it he should be happy to do so. He would make this passing allusion to it—that he challenged the Chief Secretary, or anyone on the Treasury Bench, to deny the infamous career of Talbot or Corridon, who went about resorting to every kind of deception and treachery in order to entrap their dupes. He challenged them to deny that these persons guilty of these atrocious acts were guilty of them with the money of the British Government. He now came to the main question. The Government had put in this Bill "high treason" as one of the offences under which they claimed the right to put a person in prison. They would have a perfect right to put in prison a person guilty, or reasonably suspected of being guilty, of high treason; but they did more than that by putting it in the Bill; they said it was prevalent, and that a large number of people might be suspected. That was the inference. ["No, no!"] Well, if there were only some half-dozen persons guilty of high treason, why not take them into the Court and dispose of them that way? The inference, however, was that there were a large number of persons whom they could not get at by the ordinary law; and, therefore, they wanted extraordinary powers. Why the Irish Members resented this was because it showed the profoundest ignorance of the agitation now going on. Did the right hon. Gentleman know that the leaders of the Land League had been subject to stronger attacks from persons of most revolutionary opinions, nearly all of them resident in America, than from the Chief Secretary himself? Did he not know that one of the main recommendations of this movement in the minds of a large number of politicians in Ireland was that the movement was decidedly and exclusively social, and not political? Why the hon. Member for Tipperary (Mr. Dillon), and even he himself, had been frequently criticized in a very severe spirit, because, in the opinion of some Irish politicians, they seemed to lose sight of the main principle of self-government for Ireland. In the face of this, in the face of their being blamed for making their movement purely social in place of political, the right hon. Gentleman sought to attach to it the stain of high treason. Was it not a natural inference that high treason had been provoked by the agrarian movement? If high treason existed only to the extent to which it had existed in ordinary years in Ireland—admitting that it existed at all—what was the object of extraordinary precautions now? If high treason did not exist to a larger extent than in average years, the Government had no right to put it in the Bill; and if it did, it must necessarily be connected with the movement in connection with the Land League; and that it was not asking too much of the Chief Secretary that, if he made a series of charges like that against the people, he should bring some evidence before the Committee to support it. He had had, for one reason or another, to read a large number of the debates in that House on previous Bills of the same kind; and there never had been an instance when a Bill for the protection of life and property in Ireland had been introduced on the ground of high treason, nor that charge introduced into a Bill, when solid and large and grave foundation was not advanced. Take the Peace Preservation Bill of 1848. On that occasion Sir George Grey, who introduced the Bill, was able to produce dozens of speeches, dozens of proclamations, dozens of newspaper articles, and a vast pile of evidence in proof of the existence of a comprehensive and dangerous conspiracy of a treasonable character. Take, again, the Bill of 1866, which was brought in on the ground of treason. Sir George

Grey, in introducing that Bill, also produced articles from the Irish papers, dozens of speeches in Ireland and in America, and a whole mass of evidence in support of his proposition. The only evidence that they had in support of the present Bill was such as was locked up in the bosom of the Chief Secretary and a solitary placard. When the right hon. Gentleman asked for their confidence in the evidence locked up in his bosom, he was not at all disposed to doubt, in the least degree, the desire of the right hon. Gentleman not to put any evidence before the House which did not satisfy his own mind; but he (Mr. O'Connor) was not satisfied that the Chief Secretary understated the state of Ireland, and he was convinced that the Chief Secretary was under grave misapprehension as to the state of the country. The Chief Secretary had more than once hinted—and more than hinted—he had actually stated that there was a large and dangerous and treasonable state of things in Ireland; and there could be no doubt that the evidence of the last few days had proved that suspicion had passed from suspicion into confident belief in the mind of the right hon. Gentleman. He had no desire to put his judgment against the Chief Secretary's; but, so far as he could judge of the state of affairs in Ireland, he should say there had never been, in the history of the last 10 or 15 years, a moment when the minds of the people of Ireland were so averse to violence and revolution as they now were. He did not deny that the agrarian movement had, to a certain extent, revolutionary objects, in the sense of desiring what would be necessary in the system of land tenure—he acknowledged that the movement had in view changes which, to his mind, were certainly just, but might be described as revolutionary, on the land tenure; but he declared, on his credit, that there never had been a moment when the people were more averse to entering upon the rash and dangerous movement of revolution. He pressed the right hon. Gentleman upon this subject, because he wanted some authoritative statement on the question of high treason. There was a state of dangerous alarm in the minds of the people in England and Ireland upon this question. Many people in Ireland and many in England were in a condition of alarm most dangerous to public tranquillity, asking themselves what was going to happen to-morrow. Was there a volcano under their feet? Could the authorities be taking those steps without any ground for them? Were they face to face with one of those violent revolutionary outbreaks that had caused so much misery in the past? He wanted the Chief Secretary to assure the Committee what grounds there were for the grave and alarming rumours that were heard. So far as his judgment went, there was no foundation for them, and it was a calumny on the agrarian movement in Ireland to associate it with the revolutionary movement; and the right hon. Gentleman was himself a most dangerous enemy to public order and peace, by spreading rumours without any tangible proof.

Mr. W. CORBET expressed the belief that the placard which had been referred to was a bogus placard. It had been received by the Committee with much surprise; and as the case in point would have weight, he would cite a case which was brought before that House by a very esteemed Member of it, who had himself been Chief Secretary for Ireland. He alluded to the late Lord Mayo. When he was Chief Secretary there was an unfortunate movement on foot, and Lord Mayo distinctly set his foot down against coercive measures such as that now introduced. Lord Mayo mentioned a case to illustrate the way in which such documents as the placard referred to were manufactured. It was the case of a Mr. Birch; and he quoted a letter from the Private Secretary of the Lord Lieutenant of Ireland, in which he said that His Excellency was entirely ignorant of anything connected with the Pike affair and Brown, and that information could only be obtained from the *mauvais sujets*, who often misinterpreted their instructions and exceeded the limits of their commission. He (Mr. Corbet) thought, with that instance of the way in which evidence was furnished in Dublin Castle, it would be right to add the proposed Amendment to the Bill.

Mr. T. D. SULLIVAN said, the hon. Member on the opposite Benches (Sir John Lubbock) had complained of the hon. and learned Member for Meath (Mr. A. M. Sullivan) for making certain allegations with regard to Dublin Castle without giving any evidence. It seemed to him that, in that whole matter, evidence was being entirely dispensed with. That was what he complained of. The liberties of the people were being suspended without evidence; Irishmen might be put into prison without evidence; and evidence was being dispensed with entirely, so far as the Bill went. An unfortunate remonstrance had been made against allegations touching the honour of Dublin Castle. Well, they knew something of the history of Dublin Castle. They had reason to know something of that history. They had very cogent and bitter reason for making themselves acquainted with it. Its history was part of the history of their race, and they ought to know something of the character it held in the estimation of the people. He could assure the Committee that none of those disclaimers would wash away the stains of blood and corruption that had attached to the history of that establishment. So bad was its repute, founded upon historical reasons—only too well founded; so bad was its repute that it was repellant to the reputation of an Irish politician to be seen walking through the Castle yard. They had not the same trust in the officials of Dublin Castle, taking them all in all—he did not specify any particular ones or individual amongst them—but Irish people knew very well what was meant when Dublin Castle was spoken of, and they had very good reasons for not trusting it. The words regarding treasonable practices and treason-felony had been introduced into the Bill for the sake of effect. It was part of a system that had been introduced since the Bill came before the House to try to terrify the country and hon. Members of the House by vague and significant words of that kind, in support of which no evidence would be brought forward. A black screen was hung before them, and they were told that inside that there was a chamber of horrors. They were not allowed to get a peep into it. They were to take it all on the word of the Chief Secretary, who had it on the word of somebody else. They contended that they were light and insufficient excuses and pleas on which to take so serious a step as the suspension of the liberties of the people. It was quite true that such were the attachments of Party, such were the ties of Party feeling, that there were a number of hon. Members who would take the word of the Chief Secretary for anything with regard to Ireland; and, as he had heard one of them say, they would, in a matter of this kind, give the Government the benefit of the doubt. That was not the way the liberties of England were won. It was not by giving to the Government the benefit of the doubt that the liberties of Ireland would be observed; but, as he had already said, it was a light matter with that House to sacrifice the liberties of the Irish people.

SIR JOSEPH M'KENNA said, he disbelieved in the genuineness of the proclamation referred to. He believed that the relative position of the agrarian party and the treasonable party were that the treasonable party despised the agrarian party, and the agrarian party were afraid of the treasonable party. He believed that if the main object of the Bill was in respect to treason or treason-felony it was founded on a most monstrous pretension; but he believed if the Chief Secretary would closely confine himself to the agrarian outrages and transactions the better it would be for the Bill, because, if they included the treason-felony people with the agrarian people in one Bill of pains and penalties against both classes, they would tend to bring the two classes together. He could assure the Committee—having had a great deal of experience in the testing and sifting of evidence upon documents—that he was as convinced as a man could be of anything of which he had not direct proof—he had a great deal more evidence approximate to what might be direct proof than would be necessary to lock up a man —he was convinced that the proclamation, which was destined to make, and had made, such an effect on the public mind, was not the work of Dublin Castle. But he was also perfectly satisfied that it was not the work of its pretended authors, but was that of some partizan, who desired to play into the hands of Dublin Castle in their present policy. No one could acquit more completely than he did, or discharge from his mind more fully, the idea of any suspicion of the Chief Secretary, or of the chief officials; but it was the misery of such establishments as Dublin Castle that they necessarily had a body of camp followers, who were not very chary of what they put into the hands of the Chief Secretary. It would be just as unfair, and not more so, to charge a general of a gallant army with the acts of his camp followers, as to charge the heads of Dublin Castle with the infamy of Talbot; but they could not wholly discharge themselves, in the minds of the public, from the connection. For the well-working of the Bill and the putting of agrarianism on its proper footing it would be better to disassociate it from anything relating to treason or treason-felony. They had elected to be kept asunder, and he would urge that they should be still kept asunder. The treasonable party were more dangerous than the agrarian; but it would not only be adding one to the other, but multiplying them both, if they were put together; and he implored the right hon. Gentleman in a loyal spirit, and as one who had given hostages to fortune on behalf of order and peace in Ireland, to exclude anything of treason-felony from the Bill before the Bill became law, simply for the purpose of keeping asunder two parties which were asunder at present, and which, he hoped, would remain so for ever.

Sir WILLIAM HARCOURT: A question has been put by the hon. Member for Galway (Mr. T. P. O'Connor) which ought to be answered. It was answered partly by the hon. Member who has just sat down (Sir Joseph M'Kenna), who says there are two parties in Ireland, which he has described by the names—the treasonable party, and the agrarian party. He says those two parties exist in Ireland, and he has given a reason, which is not convincing to me, why one party and not the other should be dealt with by the Bill. It seems to me that, if there be two such parties, they ought both to be dealt with. If there be a treasonable party in Ireland, if it does not act with the agrarian party but adversely to it, why should not that party be dealt with? The evidence of such a danger does not rest upon any surmise of my right hon. Friend. If proof were wanted, it has been proved by the speech of the hon. Member for Galway (Mr. T. P. O'Connor). He spoke of a revolutionary party; he used a different phrase from the hon. Member for Youghal; but I imagine he meant the same thing, and he said there was a revolutionary party, who were adverse to the objects of the Land League and the party with whom the hon. Member acts. I have no doubt it is true; but does not the hon. Member prove the fact of the existence of the party?

Mr. T. P. O'CONNOR: I did not say there was a revolutionary party; but that there were persons of revolutionary ideas, some of whom were in Ireland, but most of whom were in America.

Sir WILLIAM HARCOURT: I accept that explanation. What does it mean? I imagine it means very much the same thing as the party described by the hon. Member for Youghal as the treasonable party. There are people of revolutionary ideas, some of whom, apparently, are in Ireland and some in America; it is possible that the majority in America may come to Ireland, and if you are to have a Bill which is to be of any service at all that Bill ought to cover that party of revolutionary ideas, some of whom are now in Ireland, but the majority of whom are in America. It is for dealing with that party of revolutionary ideas, of whom the hon. Member seems, at all events, to have sufficient knowledge and conception to be able to describe their relative number and their relative situations — for he seems to know where the majority is and where the minority is—that the Bill is required. He says the minority is in Ireland and the majority is in America. Well, the Government think it their duty to make this proposal, and they have formed very much the same opinion as the hon. Member for Galway. They would ill-discharge their functions if, having some acquaintance with, and perhaps as complete knowledge as, the hon. Member of that party, if they did not deal with them; and they have come to the same conclusion that there are some of them in Ireland and a great many in America. It is the object of this Bill and this clause which is now under discussion to protect society, and to protect the institutions of the country against that revolutionary party, some of whom, as the hon. Member says, are in Ireland and a great many of whom are in America.

Mr. BIGGAR said, the right hon. Gentleman (Sir William Harcourt) had adopted the suggestion of the hon. Member for Galway (Mr. T. P. O'Connor) by saying that there were people of revolutionary ideas in Ireland; and he would like to know whether or not it was proposed by the Bill to put people in prison on account of their ideas. The evidence was too slight on which to pass a Bill of so much importance to Ireland. He did not know much himself with regard to the revolutionary party; but he asked a Catholic priest whether there were any Fenians in his district, and the priest said there were none. He said—"There are no Fenians here; but they are all Fenian sympathizers. All the Irish people hated the English system of government; and by the action of the Government on the present occasion they were fortifying that feeling and the revolutionary party. They were not treated with fair play by the different Governments which from time to time sat on the Treasury Bench. They were exceedingly unfairly treated by the Bill before the House. They were asked to allow a stringent measure to pass without the slightest evidence, and to take on trust the opinions of right hon. Gentlemen who themselves acknowledged that they had never read the evidence upon which they based their opinions. They were asked to pass a clause of that sort on the whispered information of perjured informers; and, with regard to Talbot and the other men, who were notorious scoundrels, as was acknowledged by all parts of the House, the Ministers who used such people were in a large degree responsible, and became in some cases their confederates, for it was an undoubted fact that a person who employed an agent, knowing what he did, made himself morally as guilty as the agent.

Mr. T. P. O'CONNOR asked leave to make a personal explanation, as the Home Secretary had grossly misrepresented what he had said.

The CHAIRMAN: The hon. Member cannot speak again. He has already spoken.

Mr. T. P. O'CONNOR wished to make a personal explanation. The right hon. Gentleman the Home Secretary had put into his mouth—he did not know with what object—words and ideas which he had not expressed. What he said was that there were men of revolutionary ideas in Ireland, as there were in England; but it was a totally different thing to say that because a man had revolutionary ideas, for that reason he was a member of a revolutionary organization. The right hon. Gentleman had grossly misrepresented what he said, and he must have known it.

Mr. MOLLOY asked the right hon. Gentleman the Chief Secretary for Ireland, if he could give any information to the Committee as to whether it was or was not true that, in 1866, a man named Talbot was employed by the Government in Ireland—first, to swear in Fenians; and, secondly, he would not say by their instructions, but, at any rate, with their knowledge, that he, not being a Catholic, went into a Catholic church and received the sacrament, in order to induce the confidence of the people of that country; whether or not he gave evidence against those whom he had induced to become Fenians; and whether or not he was paid by the Government of Ireland?

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson): It is not the fact that Talbot was either employed to swear in Fenians or that he did so. It is not a fact, not being a Catholic, that he received the sacrament in the Catholic Church at Carrick-on-Suir. Those who are interested in the matter will find the entire circumstances reported in this book which I hold in my hand, and which belongs to the Library of the House. It contains the trial of Burke and others, and the cross-examination of Talbot will be found on page 606 and subsequent pages. The counsel who cross-examined him was the present Baron Dowse, then at the Bar. The learned Baron has himself contradicted, in the Court of Exchequer in the presence of the public, the statement that Talbot admitted he had received the Sacrament. It will be found that the Judge who presided at the trial of M'Cafferty's case, in which Talbot was examined, approved of his conduct.

Mr. J. COWEN wished to ask a question. Was he to understand that the Representatives of the Government distinctly stated that Talbot did not act as a spy and receive money from the Government?

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson): I said nothing of the kind; but that he was a constable who acted as a detective policeman and earned the approbation of the Judge.

Mr. FINIGAN said, the right hon. Gentleman the Chief Secretary for Ireland had spoken of those whom, he said, were not within that House, and, therefore, could not defend themselves. He would make a complaint on a different basis. He complained that the authorities of Dublin Castle were not directly responsible to that House for the maladministration of Ireland. While that Committee might put much confidence in the right hon. Gentleman the Chief Secretary, history and facts alike showed the Irish Members that they could never trust their case into the hands of the authorities of Dublin Castle. A Bill of that kind, carried out by those authorities, was exactly the measure to aid in the promulgation of those revolutionary ideas which had been so much condemned in that House. Treasonable practices might be allowed to remain in the Bill, for he knew of no law that embraced them; but he thought that treason and treason-felony might well be omitted, and dealt with by the ordinary law. It would be a wise thing if the Government would omit from the Bill everything which would be at all likely to lead to further progress in the revolutionary ideas which might be then existing in Ireland.

Mr. O'DONNELL (who rose amid loud cries of "Order!") said, he should not occupy the time of the Committee more than three minutes.

The CHAIRMAN: Does the hon. Member rise to make an explanation?

Mr. O'DONNELL understood that he had a right to speak in reply.

The CHAIRMAN: The hon. Member is in Order if he limits himself to an explanation; but he cannot reply.

Mr. O'DONNELL said, the only explanation he had to make was this. He sought to obtain from the Government an explanation of the facts they alleged. It might have appeared that he was bringing some sort of personal charge against the right hon. Gentleman the Chief Secretary for Ireland. He did nothing of the kind; and he begged to assure the right hon. Gentleman that he had never brought any charge against him except one founded on inexperience in Irish affairs.

Mr. M'COAN wished to be allowed to read two or three words from the volume to which the hon. and learned Gentleman the Solicitor General for Ireland (Mr. W. M. Johnson) had referred. The contradiction of the hon. and learned Gentleman to what had been hitherto received as an undoubted fact was so complete, that for the moment he was staggered that his hon. and learned Friend should have ventured to make an assertion for which there was no foundation. The impression left with him was that the whole story as to Talbot's entering the Catholic churches and taking part in the Service was entirely without foundation. He had, however, that moment looked into the Report of the trial; and a couple of sentences had accidentally caught his eye, which, with the permission of the Committee, he would read. He did not charge the hon. and learned Gentleman with dishonesty; but what he did was this, to tell as much of the story as an advocate would—namely, that part which supported his own case. [*Confusion. Cries of* "Fair play!" *and* "Order!"] He had never read the trial; but his eye had accidentally fallen upon those sentences, and, no doubt, in 10 minutes, he could find sentences which were much stronger. He did not know whether that part of the trial was examination or cross-examination. That did not matter. Talbot was asked these questions—

> "He went to transact business after Mass along with you?—Yes. Did he ever suspect that you were not a Catholic?—No. No one said anything about it?—No. Did you do the same as all the other men in the chapel?—Yes. Did you bless yourself in the same way, and go through all the forms of the Catholic Church at Mass, as if you were a regular Catholic?—I did. And you did not believe one bit of it the whole time?—I did the same as they do in chapels or in churches. Did not you go there to act a lie, that you might affect to be a Catholic when you were not one?—I did not understand it in that light. Did you go to Mass for the purpose of acting a lie, and appearing to be a Catholic?—Yes; I went to Mass in order to get among the Fenian societies."

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson), rose amid loud cries of "Order!" and great confusion. He said: I was asked two questions, neither of which—[An hon. Member: Dublin Castle again.]—neither of which has been in the slightest degree touched——

The CHAIRMAN: Does the hon. and learned Gentleman rise to make an explanation?

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson): Certainly, Sir. I was asked two questions—First, whether Talbot had received the sacrament of the Catholic Church, to which I answered, No; secondly, whether he had sworn in Fenians, and I answered that he had not.

Several Irish MEMBERS: We can prove it.

MR. CALLAN said, that if the statement made by the hon. and learned Gentleman the Solicitor General for Ireland (Mr. W. M. Johnson) were uncontradicted, it might go forth to the country that the charge made against Talbot was a falsehood. It was well known in Ireland that Talbot was, even after those transactions, kept in the pay of Dublin Castle; and that it was a fact that he had gone into the Catholic church and received the sacrament. Let the hon. and learned Gentleman disprove that if he could. Talbot was, in fact, in the pay of Dublin Castle up to the day of his death, notwithstanding that those charges against him were known to be true by the authorities.

MR. W. E. FORSTER: All I know about Talbot is that he was assassinated.

MR. A. M. SULLIVAN: The right hon. Gentleman was not present, surely.

Question put.

The Committee *divided*:—Ayes 225; Noes 49: Majority 176.—(Div. List, No. 35.)

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Justin M'Carthy*,)—put, and *agreed to*.

Committee report Progress; to sit again upon *Monday* next.

MOTIONS.

MARRIED WOMEN'S PROPERTY (SCOTLAND) BILL.

NOMINATION OF SELECT COMMITTEE.

Motion made, and Question proposed, "That the Lord Advocate be a Member of the Select Committee on Married Women's Property (Scotland) Bill."—(*Mr. Anderson.*)

SIR DAVID WEDDERBURN said, he objected to the nomination of the Committee. It was only proposed to nominate one hon. Member whose name appeared on the back of the Bill. He would move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Sir David Wedderburn.*)

MR. ANDERSON hoped the hon. Member for Haddington would not press the Motion. He intended to give Notice to add to the Committee on a future day the name of the hon. Member, and also of one or two other hon. Gentlemen. He hoped, under those circumstances, the hon. Member would withdraw the Motion for adjournment.

SIR DAVID WEDDERBURN intimated that he would not press the Motion.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Mr. ANDERSON, Mr. ARMITSTEAD, Mr. JAMES CAMPBELL, Mr. COCHRANE-PATRICK, Sir ALEXANDER GORDON, Sir JOHN HAY, Mr. STAVELEY HILL, Sir HERBERT MAXWELL, Mr. NORTHCOTE, Mr. PEDDIE, Mr. FRANCIS POWELL, Mr. SOLICITOR GENERAL for ENGLAND, Mr. WEBSTER, and Mr. WILLIAMSON nominated other Members of the said Committee.

MIDDLESEX LAND REGISTRY BILL.

MOTION FOR LEAVE.

MR. HOPWOOD moved for leave to bring in a Bill to improve the Constitution and extend the District of the Middlesex Land Registry, and to amend the Law relating to the Registration and Transfer of Land in Middlesex and the Metropolis.

MR. WARTON objected.

MR. SPEAKER: When did the hon. and learned Member for Stockport give Notice of the Motion?

MR. HOPWOOD: I gave Notice yesterday.

MR. SPEAKER: Then, objection being taken, the Motion cannot be proceeded with.

Motion *postponed* accordingly.

BLIND AND DEAF-MUTE CHILDREN BILL.

On Motion of Mr. WOODALL, Bill for the better Education of Blind and Deaf-Mute Children, *ordered* to be brought in by Mr. WOODALL, Mr. BRIDGES WILLYAMS, and Mr. MONTAGU SCOTT.

Bill *presented*, and read the first time. [Bill 85.]

House adjourned at One o'clock till Monday next.

HOUSE OF LORDS,

Monday, 14th February, 1881.

MINUTES.] — PUBLIC BILLS — *Committee — Report*—Limitation of Actions * (5); Settled Land * (6); Conveyancing and Law of Property * (7); Consolidated Fund *.

CENTRAL ASIA—ENGLAND AND RUSSIA.—QUESTION.

LORD STANLEY OF ALDERLEY wished to ask the Secretary of State for Foreign Affairs a Question of which he had given him private Notice, Whether it was true that in 1876 a communication was made by the Russian Government to the Government of this country in which it was proposed to divide Central Asia between Russia and England?

EARL GRANVILLE: My Lords, I see by the newspapers that the impression of the existence of such a document exists in some quarters. The Press has a very natural and very laudable desire to obtain possession of all information; but in some instances it obtains information which is not correct, and which is given by persons who commit a breach of faith in furnishing it. With regard to this case, I do not know how the knowledge of a private Memorandum could be supplied to a newspaper; but as far as I am aware the statement is not true. My attention was called to the matter by seeing in a newspaper the statement referred to by my noble Friend. I have had a diligent search made, and I find, as regards the Foreign Office, that in the archives there is no record of such a communication. Neither is there any recollection of it among the permanent staff of the Office; and I believe the same statement will apply to the Department over which my noble Friend the Secretary of State for India presides. I give an answer to the Question which my noble Friend thus put; but, at the same time, I hope my doing so will not be regarded as a precedent that when any statement appears in a newspaper there should at once be a communication on the subject to Parliament, irrespective of any consideration as to whether it may be to the public advantage that such communication should be made.

IRELAND—PASTORAL LETTER OF DR. GILLOOLY.

QUESTION. OBSERVATIONS.

LORD STANLEY OF ALDERLEY rose to call the attention of the House to the concluding paragraph of the pastoral letter of Dr. Gillooly, the Bishop of Elphin, to his clergy, communicating to them the recent letter of the Pope to the Archbishop of Dublin—

> "Whilst we express this confidence in the religious and peaceful dispositions of our people, we feel it a duty to declare that should the Government and Legislature fail to satisfy in the present Session of Parliament the just demands of the cultivators of the soil, they shall at once forfeit all further claim on restraining influences, which the hope of remedial legislation has hitherto induced a large section of the clergy to exercise in their favour;"

and to ask the Secretary of State for Foreign Affairs, Whether he has brought, or intends to bring, this language under the notice of the Holy See? The noble Lord said: I should commence by reminding your Lordships that the recent letter from the Pope to the Archbishop of Dublin contained an injunction to Irishmen to maintain their hereditary probity. It was impossible for a document of the nature of a Papal letter to be more outspoken or more plainly opposed to the teaching of the Land League, which enjoined the withholding of rent, advice which has been followed all over Ireland, as much in unscheduled as in scheduled districts. The importance of the Papal letter, and its value on the side of order, will be still more apparent when it is remembered that a short time before the Archbishop of Cashel had written a letter in favour of the Land League doctrine of holding the harvest, in which he used the words—"The husbandman that laboureth must be the first partaker of the earth's fruits," to support their teaching. Great efforts were also made to lead the Irish people to believe that the Catholic Church had given its sanction to the Land League; and, indeed, the tone of some of the Catholic newspapers in Germany and France at one time might countenance such an opinion. The Pope's letter was published in the newspapers, and ordered to be read out in the Dublin churches; but it was not generally published throughout Ireland, and, according to the public prints, the Pope was displeased at this, and again gave instructions for the publication of his letter. After this the Bishop of Elphin communicated the Pope's letter to his clergy, with a pastoral letter. In this he entirely omits all notice of what, under the circumstances, was the principal point of the Pope's letter—namely, adherence to honesty; and he concludes his letter with a threat to the Government and Legislature that unless they pas a Bill in this Session, which shall satisfy what the cultivators of the soil are pleased to think just demands, the clergy of his diocese shall not be expected any longer to exercise their influence in restraining their flocks from outrage. I shall refrain from expressing any opinion of my own as to this language; but will leave it to your Lordships to consider whether it is right for a Christian Bishop to make a matter of bargain and sale of the obligations of his clergy to oppose outrage and wrong on all occasions, even though some popularity might be temporarily lost by so doing. With such an example of the state of mind of an Irish Bishop, it cannot be a matter of surprise that the language and conduct of a large part of the clergy should have been what it has been. A large number of priests have presided at Land League meetings, and have used language there altogether unsuitable to their sacred calling; in still more numerous cases they have allowed language inciting to outrage and assassination to be used in their presence, and under their presidency, or have feebly protested when they ought to have closed the meeting or retired from it. Having complained of the conduct of a portion of the Irish priests I feel bound also to state what there is to be said in excuse for them. In the first place, some of them honestly believe that they have had a moderating influence upon the Land Leaguers, who, but for their presence, would have gone to greater lengths. Then it must be remembered that the Irish priests are taken from the sons of the smaller farmers, and that they are the brothers and cousins of the persons whose interests they have been pleading for. I was told by a Catholic gentleman, not a landlord, that the Galway priests were the worst. I asked why, and he said because they were the sons of occupiers smaller than in other districts. Formerly many of the Irish clergy were educated at St. Omer and Salamanca, where they were able to acquire more extended ideas and get rid of Irish prejudices. The greatest difficulty, perhaps, that impairs the position of the Irish priests is their dependence on their parishioners, and the necessity they are under of resorting alternately to cajolery or threats to obtain the means of subsistence. Many of those who in 1869 took an opposite view, and who prevented the vote of your Lordships in favour of bestowing glebes and manses on the Irish priests from being carried out, must now regret that so good an opportunity was lost and thrown away of taking a step half-way towards securing the independence of the priests, and of putting them less in the way of temptation to take up the part of political agitators. The Irish Bishops are much in the same case as their clergy as regards position. It was remarked at the Council of the Vatican, in 1869, that if a prize were given to non-Catholic Governments for their Bishops the Ottoman Government would have been first, for the Turkish Bishops all had the appearance of persons well to do in the world and accustomed to hold their own, whilst the English Government would have been last on account of the appearance of the Irish Bishops. If your Lordships admit that the conduct of a considerable portion of the priests has been bad, and if you admit the validity of the excuses for this conduct, it would follow that there must be blame for the present status and condition of the Irish priests, and that blame must be divided between the Government of this country and the Papal Court for not having approached one another, and concerted together in order to secure a better state of things. At the end of last year there was a great outcry from the North of Ireland against the language of the priests and the apparent indifference of their ecclesiastical superiors; but now even the Orangemen, who would refuse to the Pope the title of Vicar of Christ, must admit that he has acted in that spirit, and endeavoured to check agitation and to restore peace to Ireland. I now come to the Question to Her Majesty's Secretary of State, of which I have given Notice, with regard to the language of the Bishop of Elphin. I have no fear that it will be said that this or the language of the priests is a matter of indifference; but the answer necessarily will be that my noble Friend has no means of communication with the Holy See. Why is this the case? Lord Odo Russell long filled the post of unofficial agent at Rome with great credit to himself and utility both to his own and the Papal Government. Mr. Jervoise succeeded him, and I believe was equally successful in giving satisfaction. He was, however, recalled in the October of 1874. It is not generally known why this was done. It is to the credit of this country that I never heard it attributed to Protestant bigotry; it has generally been supposed that his recall was dictated by economy. I was informed at the beginning of last year at Paris that the reason for it was in order to please the Italian Government, in consequence of the bad relations then existing between that Government and the late Pope Pius IX. This reason, however, no longer exists, for the relations between the present Pope and the Italian Government are on an amicable footing. I will, therefore, venture to hope that the Secretary of State will be able and willing to inform your Lordships that he will take into his consideration the re-appointment of an agent like Mr. Jervoise at the Holy See. Unless this is done it will be impossible to do that which there is the greatest necessity for doing—namely, to improve the position and condition of the Irish clergy, in order that they may be better able to moralize the Irish people, and to eradicate the unfortunate tendency to resort to outrage and assassination. At the present day, and when the Cardinal Archbishop of Westminster is invited to take part in every public movement, it seems unnecessary to offer any arguments against unreasonable fears of Papal interference in this country. At the same time, I may state my belief that there is very much too little instead of too much attention given at Rome to Irish affairs. A conversation with the late Cardinal Antonelli gave me the impression that he did not know much of Irish affairs, and that he was nearly as much tired of them as Her Majesty's Ministers may now well be. At that time also an almost incredible mistake in *The Civilta Cattolica* showed how little attention was being paid to Irish affairs, for that monthly official organ stated long after the Irish Church Act had passed that the property of the Disestablished Church had been restored to the Roman Catholics; the mistake was probably owing to some telegram announcing the vote of your Lordships' House for bestowing glebes and manses on the Irish clergy, which was so unfortunately frustrated. I believe that the present agitation in Ireland will shortly subside; but if, unfortunately, that should not be the case, Her Majesty's Government have already been warned and threatened that they would have to lock up every priest in Tipperary and the Archbishop of Cashel, who would put themselves at the head of the Land League and carry out its operations. If such an event were to happen, and the priests so far forgot their sacred calling, it would be far better in the interests of religion and order that Her Majesty's Government should be in a position to obtain the deprivation or suspension of such priests from Rome than that they should be driven to proceed against such misguided priests in the manner contemplated by the agitator.

Earl GRANVILLE: My Lords, I have not the honour of knowing Dr. Gillooly, the Roman Catholic Bishop of Elphin; but in consequence of the noble Lord's speech the other day, and of the Notice of the Question which he has just put, the right rev. Prelate has addressed to me a letter, dated the 8th of this month. It would have been a more convenient course if this letter had been addressed to some Irish Peer, who could have freely discussed with the noble Lord the bearing of Dr. Gillooly's Pastoral Letter on the previous letter addressed by the Pope to the Roman Catholic Bishops of Ireland. As it is, though the letter is rather long, I may as well read it without comment to your Lordships. It is in these terms—

"Sligo, Feb. 8, 1881.

"The Right Rev. Dr. Gillooly presents his compliments to the Right Hon. Earl Granville, and takes the liberty of enclosing to his Lordship a copy of the Pastoral Letter to which reference was made, a few days ago, in the House of Lords, by Lord Stanley of Alderley, and to which the same noble Lord proposes to call the attention of the House on the 14th instant.

"This letter, when read in its entirety and in connection with the letter of His Holiness the Pope, will, it is hoped, supply abundant evidence that the writer condemned in the future, as in the past, all violent and unlawful means of effecting the reform of the Land Laws of Ireland; that he approved only such as were peaceful and Constitutional; and that 'the restraining influence of the clergy,' to which he says the Government and Legislature may forfeit their claim, must refer, not to any lawless acts of the people, but only to the Constitutional agitation which the refusal of remedial measures may still necessitate.

"This meaning and purport of the Bishop's observation will be made still more evident and unquestionable by the fact that up to the present time, and chiefly in expectation of the promised Government Land Act, the Bishop of Elphin and his clergy have refused to take part in the Land League organization or Land League meetings, although sympathizing most cordially with the people in the main objects of the League. The Bishop wished to intimate that their abstention from active co-operation with the people, and the restraining influence which such abstention had to a large extent undoubtedly exercised on their flocks, should not be reckoned on for a day in the event of adequate remedial measures being refused by Parliament. And he considered it his duty to hold out to his flock this hope of active guidance and co-operation, being convinced that the refusal of the expected Land Reform Bill would necessarily lead to a well-sustained Constitutional agitation, as being not only the safest and speediest means of bringing the Legislature to grant that reform, but as the only means of saving this country, if saved it can be, from the terrorism and crimes of secret associations.

"The Right Rev. Dr. Gillooly begs to apologize for troubling Earl Granville with this communication; he does so in the hope that it will enable his Lordship to satisfy the House as to the true meaning and purport of the misinterpreted letter, and in the hope, too, that the feeling expressed in that letter, and which he knows to be the common feeling of the body he has the privilege to belong to, may be taken into account by those who, under God, hold in their hands the destinies of the Empire."

I have to add that I have not brought, nor is it my intention to bring, the language of the Pastoral Letter of Dr. Gillooly under the notice of the Holy See.

SOUTH AFRICA—THE CAPE COLONY—MEMORIAL OF "DUTCH BOERS."

QUESTION. OBSERVATIONS.

EARL CADOGAN asked Her Majesty's Government, Whether the memorial contained in Blue Book [C.— 2695] South Africa, stated to have been addressed by the Boers to Mr. Gladstone, was ever received by the Prime Minister; whether it was signed, and, if so, by whom; whether any answer was returned to it by the Prime Minister, and, if so, whether there was any objection to laying on the Table of the House such answer and any further correspondence on the subject? The noble Earl said he should be able in a very few words to explain the character of the Memorial. It was sent by Sir Bartle Frere to the Secretary of State for the Colonies on the 8th of March, 1880, and was received on the 31st of March, before the late Government left Office. The document sent was only a copy of the Memorial which was proposed to be addressed to the right hon. Gentleman, and it was stated in one of the newspaper criticisms inclosed in the despatch that the Memorial was still lying for signature. It contained this language—

"To the Right Honourable William Ewart Gladstone, M.P., &c.—We, the undersigned, who venture to address you, are men of European extraction living in the Cape Colony, and, with few exceptions, belong to the class generally known by the name of 'Dutch Boers.' Living scattered over great stretches of country, far removed from the busy centres of population and civilization, and occupied with the care of our flocks and herds, we have but a scant opportunity of becoming acquainted with the names and deeds of the great men of the British Empire. But yet, from time to time, the name of William Ewart Gladstone has reached even our isolated South African farms. We heard of him as one of those famed statesmen and orators across the water who, by the power of their genius, exercise so marked an influence on the destinies of their country. We heard of his magnificent eloquence, of his splendid services rendered in the cause of human liberty without distinction of race or creed, and of his undeviating loyalty of conscience, not only as a private Member of Parliament, but in that most difficult of all positions, a political Party Leader and a Cabinet Minister. We were told how he carried the first rays of hope into the hearts of a cruelly oppressed Italian people, how he had aided the cause of the poverty-stricken Irish peasant, and how he had made the whole of England ring with his indignant denunciations of the nameless atrocities perpetrated by a barbarous soldiery on a Christian population in the Turkish Empire. Sharing the feelings of a common humanity, we could not learn of these, your services in the cause of liberty, without feeling some responsive chord touched within us. And yet we would have hardly thought of addressing you, if we had not heard of late how the wrongs of even some few thousands of Dutch Boers—as many thousands of miles away—had called forth your sympathy and a decided expression of your disapproval and condemnation of the treatment to which they have been subjected."

The Memorial gave their views of the annexation of the Transvaal—views which, he confessed, so far as he was able to judge them, might be described as erroneous. It referred to the speech uttered at Edinburgh by the right hon. Gentleman and another on the 70th anniversary of his birthday; and, having stated that they felt they would not appeal to him in vain, concluded by hoping that he might be spared for many years. When he read that Memorial—a copy of which was forwarded to them at the Colonial Office—he imagined that the original would have been forwarded to the right hon. Gentleman, and duly acknowledged. In the meantime, however, a change of Government took place, and the right hon. Gentleman became Prime Minister of England. Five months after the receipt of this Memorial he found it presented to Parliament, and in September last it found its place in a Blue Book circulated among Members of both Houses of Parliament. He could hardly believe that if it had not reached the Prime Minister duly signed and authenticated it would have found a place in a Blue Book of the character to which he alluded. It was quite evident that in discussions which might take place, and which must take place on the subject of the annexation of the Transvaal, they should have to be guided in the opinions they formed of the policy of the late and the present Government by the expressions which might from time to time be received of the opinions of the inhabitants of the Transvaal themselves. He could not but think, therefore, it would be unwise and prejudicial to the interests of the country that *ex parte* statements, such as those contained in this Memorial, should find their way into official Papers and Blue Books intended for the instruction of their Lordships' House, without anything being said as to whether they were duly signed, by whom they were signed, whether they were received by the person to whom they were addressed, and, if so, whether any answer had been returned. He had omitted to mention that in the same despatch which inclosed this Memorial were numerous criticisms upon it sent by Sir Bartle Frere. Here was one—

"Our readers will find in our Dutch columns the text of an address to Mr. Gladstone to be signed by the people of the Cape Colony in behalf of our Transvaal brethren. The idea was first started by *The Patriot* and supported by *The Zuid Afrikaan;* and seeing that the address makes a fair statement of the case of the Transvaal, without containing anything calculated to make a wrong impression in England about the sentiments of the Colonists as regards the manner in which Native affairs have of late been conducted, we cordially recommend our readers to sign it as readily as, in former days, they signed Memorials to Her Majesty the Queen in favour of the repeal of the annexation. We should rather like the present Imperial Ministry to rescind the annexation than to have the matter left to a Liberal Cabinet; but Mr. Gladstone may prove a most useful ally to the Cape Africanders."—*Het Volksblad*, February 28, 1880.

Here was a criticism which showed that a different view had been taken—

"Cape Town, Saturday, March 6, 1880.—Ministerial.—It was a happy thought to address to Mr. Gladstone that composition in choice English with which 'Dutch Boers, living scattered over great stretches of country, far removed from the busy centres of population and civilization, and occupied with the care of flocks and herds,' propose to enlist the sympathies of the English Opposition in behalf of the restoration to the inhabitants of the Transvaal of their so-called independence. Mr. Gladstone, when he undertakes a cause, undertakes it with all his might. He is as 'thorough' as the hapless Wentworth. . . . The Transvaal annexation may provide him with another article of impeachment, and although the surrender of the territory might be found to involve some sacrifice of Liberal principle, any stick will serve to beat a dog; and so the promoters of this remarkable document may have good hope of securing the great man's countenance. That it is a remarkable document no candid person who has taken the trouble to read it through will deny. It is remarkable, considering its asserted origin, in its literary aspect. Seldom are scattered Boers occupied in simple pastoral pursuits found to possess such mastery of the English language as the Memorial exhibits. It may be answered that the original document was composed in the vernacular Dutch of the rural districts. But even thus the literary achievement would be no less remarkable. For the Colonists who use the vernacular Dutch are not generally credited with the copiousness of thought exhibited in the Memorial, or with the fervid interest it displays in the career of English statesmen. They are a homely people, and, like English folks of the same class, limited in their range of ideas. Travellers who visit them at their homesteads find them kindly, inquisitive, and loquacious; but their talk is of oxen and kindred subjects. They are not apt to discuss the characteristics of famed statesmen and orators across the water, the power of their genius, their influence on the destinies of nations, their magnificent eloquence, their splendid services rendered to the cause of human liberty. It is truly a remarkable document in its new revelation of the breadth and depth of inquiry and reflection, hitherto unsuspected, in the class of Dutch Boers living scattered over great stretches of country, and far removed from the busy centres of population and civilization. Remarkable also is it in some of its representations."—*Cape Times.*

The main result, however, was that this Memorial had been presented to Parliament. It was forwarded in the month of March, and presented to Parliament in

September. He might add that another Memorial, written in May, and addressed to Mr. Gladstone, was duly answered by him in a letter of which they all approved, and was published and given to their Lordships' House in August. He did not understand why the other Memorial was detained a month later. It was to be hoped that the noble Earl (the Earl of Kimberley), or some other Member of Her Majesty's Government, would kindly inform the House whether any Correspondence had ensued upon this Memorial. He trusted to hear that the right hon. Gentleman received it, and either committed it to the waste-paper basket, or, perhaps, laid it on one side with the intention of making use of it at some time or other when the occasion should arise.

THE EARL OF KIMBERLEY: I have communicated with my right hon. Friend Mr. Gladstone, and he says that, so far as he can remember, during the hurry of the Election, this address did not reach him, and that also, so far as he can remember, he did not send any answer to it. The reason that it appears in the Blue Book is that it was sent as an inclosure in a despatch from Sir Bartle Frere; and as it was necessary to present that despatch, of course, the inclosure was published with it. My noble Friend is anxious to know what value should be attached to it. He is as able to judge of that as I am. The document was received during the time that he was in Office, and when the information of the Colonial Office was at his complete disposal. It was transmitted by Sir Bartle Frere; and I apprehend that it is a document which expresses the opinion of a certain number of persons in South Africa. I am really quite unable to give my noble Friend any further information on the subject.

EARL CADOGAN: I hope the noble Earl will clearly understand that the point I wish to put is this—that when it was received by us it was the copy of a document which had been addressed to the right hon. Gentleman. When the right hon. Gentleman became Prime Minister, and my noble Friend opposite became Secretary of State, they were able to ascertain the importance to be attached to it.

THE EARL OF KIMBERLEY: I was not able to form any opinion of its importance. The importance to be attached to it is exactly that which may be ascertained by any person who reads it. It was a document prepared for the purpose of being sent home to Mr. Gladstone, and I do not attach any importance to it further than Sir Bartle Frere did. He has considered it as of sufficient importance to transmit it to this country; and Sir Bartle Frere having so regarded the document, I considered that his despatch being laid before Parliament this ought to be laid before Parliament with it.

EDUCATION DEPARTMENT—THE NEW CODE.—QUESTION.

LORD NORTON asked the Lord President of the Council, When this year's edition of the Education Code will be laid on the Table; and, whether it will include the alterations he indicated as under his consideration last year, or some of them; and, if it is as yet only partially revised, when we may expect its complete revision?

EARL SPENCER said, that the Education Code had been laid on the Table of the House. It was being printed, and would be circulated either to-morrow or Wednesday. With regard to its contents, he had to state that, in accordance with the promise he gave their Lordships last year, he had, during the Recess, carefully considered the whole subject; but, considering that the Session last year was later than usual and this year it had commenced earlier, the Government had not had sufficient time to complete their inquiries. As their Lordships were aware, the Code was required to be laid on the Table within a certain number of days of their meeting, so that it was impossible that any material changes should have been made; and, as a fact, it only contained certain changes that were required by the Act that was passed regarding education last year. Their Lordships would remember that that Act contained certain important clauses for the purpose of reconciling the Factory Act with the Education Act, and which made it necessary to modify some of the regulations, and those had been made; but no other alterations had been made. The Government hoped to be able, in considering this important subject, to simplify the Code, and also to make it more effectual for the education of the people.

Having regard to the large annual expenditure now voted by Parliament for elementary education, the Department thought it right that any change they made should be prefaced not only by experiment, but a very minute inquiry with regard to its financial effect; and they would eventually have to consult the Treasury on this important matter. All they desired was to improve the Code; and he did not think that they should have proposed many changes this year, even if they had been able to do so, because he thought it very undesirable to make frequent changes in the Code, which affected, more or less, all who were engaged in the great work of education. It was desirable, moreover, that notice should be given as long as possible before changes were made; and, therefore, he should, before the close of the Session, lay upon the Table a Minute showing what alterations the Department proposed to make, so that they should have an opportunity of being considered, not only by their Lordships, but by all the various bodies interested in education.

House adjourned at a quarter past Six o'clock till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 14*th February*, 1881.

MINUTES.] — Private Bills (*by Order*) — *Second Reading* — Lancashire County Justices *; Swansea Corporation Loans *.

Public Bills — *Ordered* — *First Reading* — Presumption of Life (Scotland) * [86]; Middlesex Land Registry * [87].

Second Reading—Sea Fisheries (Clam and Bait Beds) [83].

Select Committee—Married Women's Property (Scotland) * [45], other Members *added*.

Committee—Protection of Person and Property (Ireland) [79]—*Third Night*—R.P.

PRIVATE BUSINESS.

METROPOLITAN DISTRICT RAILWAY BILL.

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Charles Forster.*)

Earl Spencer

Lord RANDOLPH CHURCHILL said, he understood that the promoters of the Bill unconditionally withdrew the 17th clause, which contained the provision by which they thought to set aside the 92nd section of the Land Clauses Consolidation Act. That clause being unconditionally withdrawn, he should not press his opposition to the Bill, but would withdraw the Motion which he had placed upon the Paper.

Question put, and *agreed to.*

Bill read a second time, and *committed.*

QUESTIONS.

THE NEW COURTS OF JUSTICE.

Mr. FIRTH asked the First Commissioner of Works, When the New Courts of Justice will be ready for occupation; and when the clock outside the Courts will be in its place?

Mr. SHAW LEFEVRE: Sir, I have every reason to believe that the New Courts of Justice will be entirely complete and ready for occupation by the Judges by Easter, 1882, and that by that time a clock will also be in its place in the tower.

Mr. CHARLES M'LAREN asked the First Commissioner of Works, Whether he is aware that for more than a year the clock on the tower of the Royal Courts of Justice has been without hands, and that, owing to the peculiar construction of the face of the clock, it would be difficult, if not impossible, to see the hands if any should be placed there; and whether, before giving the clock hands, he will provide it with a more suitable face?

Mr. SHAW LEFEVRE: Sir, my hon. Friend is mistaken in supposing that there is a clock on the tower of the New Courts of Justice. There is the face of the clock, but there are no works, and naturally there are no hands. A clock, however, will be placed there during the present year; and as the face of the clock is of glass there will be no difficulty in making the hands visible both by day and by night.

STATE OF IRELAND—COUNTY OF ROSCOMMON.

Mr. O'KELLY asked the Chief Secretary to the Lord Lieutenant of Ireland, If he could state to the House on what grounds the barony of Boyle, in the county of Roscommon, has been proclaimed?

MR. W. E. FORSTER, in reply, said, that parts of the County Roscommon were declared to be in such a state of disturbance as to require an additional establishment of police, which was accordingly provided in the district of Boyle, which was proclaimed by the Lord Lieutenant. He saw by the Returns that had been laid before the House that there were at present four persons under special police protection, and 16 others who had to be specially watched over by the police in the County Roscommon.

MUSEUM OF NATURAL HISTORY, SOUTH KENSINGTON—THE PUBLIC COLLECTIONS.

SIR CHARLES REED asked the First Commissioner of Works, Whether the Botanical and Mineralogical Collections have been removed from the British Museum to the Museum of Natural History at South Kensington, and when the new museum will be open to the public?

MR. SHAW LEFEVRE: Sir, I am informed by the Trustees of the British Museum that both the Botanical and Mineralogical Collections have been already removed from the British Museum to the new Museum of Natural History at South Kensington, and are now being arranged there. It is expected that these Collections will be open to the public on the next Bank Holiday—namely, Easter Monday, April 18.

PARLIAMENTARY ELECTIONS ACT, 1868—WESTBURY ELECTION PETITION.

SIR EDWARD WATKIN asked Mr. Attorney General, Whether his attention has been drawn to the judgment of Mr. Justice Lush, in the case of the trial of the Election Petition for the Borough of Westbury, and to his strictures on the conduct of George Cornish and William Cornish:—

> "We feel it our duty to report these two persons to the Speaker of the House of Commons as having been guilty of corrupt practices, in order that the Attorney General or the Director of Public Prosecutions may take such action as to them may seem fit, to bring the offenders to trial and punishment. No language is too strong to characterise the conduct of a man who intruded himself into the ranks of a party to which he had not professed to belong, and made it his business to go about corrupting the humbler class of voters, and endeavouring to tempt them into crimes by promises and offers of reward, and that, too, from the basest of motives;"

and, whether he proposes to direct a prosecution, as suggested by the Judge; and, if not, if he would explain to the House on what grounds?

THE ATTORNEY GENERAL (Sir HENRY JAMES), in reply, said, he had considered whether these men ought to be prosecuted, and whether there was a likelihood of their being convicted, for it was very injurious that an abortive prosecution should be commenced on the part of the Government. These men had only on one occasion been found with money in their possession, and they had not been detected actually passing money to any voter. Neither of them, according to the learned Judge, appeared to have gained a single vote. Under these circumstances, though he believed the men to be guilty, he had come to the conclusion that a prosecution would not be likely to result in a conviction; and, therefore, he thought it better not to institute proceedings.

ARMY—LANDGUARD FORT.

MR. BENTINCK asked the Secretary of State for War, Whether it is the fact that the Royal Engineer officers have given up as hopeless boring for water at Landguard Fort; and, what steps they propose to take for supplying the garrison with fresh water?

MR. CHILDERS: No, Sir; the boring has been temporarily suspended only, and will shortly be resumed with reasonable prospects of success. Pending the result no other steps will be taken for increasing the water supply of the fort.

AFGHANISTAN—CANDAHAR—COST OF OCCUPATION.

SIR WILLIAM PALLISER asked the Secretary of State for India, Whether an official statement lately made to the effect that the annual cost of the occupation of Candahar would amount to £1,400,000, was based upon an official report of the Governor General of India, drawn up with the assistance of the Commander in Chief and other duly constituted advisers in India, or whether it was founded upon the conjecture of some person or persons residing in England; whether this estimated cost is over and above the annual military expenditure in India; and, whether he will lay the details of the estimate upon the Table of the House?

THE MARQUESS OF HARTINGTON: Sir, no estimate, so far as I am aware, has been framed of the probable annual cost of the occupation of the Province of Candahar, for we have no certain information as to the force which would be required to hold that extensive tract of country. The annual cost of occupying the City of Candahar and the posts on the line of communication with our old Frontier has been roughly estimated by competent authority in England at £1,400,000; but this estimate has been made on the basis of a smaller force than that which is now stationed at Candahar and on the line of communication. The cost of the present force, calculated at the ordinary Indian rates in time of peace, is rather over £950,000 a-year. Taking into consideration the additional charges, military and political, incident to the service beyond the Frontier, it is considered that the whole expenditure would not be far short of double the ordinary Indian cost for a similar force, which would bring the amount to nearly £2,000,000. No estimate has been framed which is based on official report from India; but the number of troops now serving beyond the Frontier on the line of communication was settled by the Government of India, and the statement of the normal cost of those troops serving in India is derived from official statements prepared in India. The rough estimate which I have given is an estimate of the cost of the force required for the occupation of Candahar and its communications. In my opinion, this would be a simple addition to the ordinary military expenditure of India, which, I think, would have rather to be increased than be susceptible of reduction in consequence of this measure. But this is, of course, a matter of opinion, and is open to discussion. Some details bearing on this estimate will be contained in the Papers which I propose to lay on the Table.

NATIONAL EDUCATION (IRELAND)—ATHY MODEL SCHOOL FARM.

MR. LEAHY asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true that a Commissioner of National Education in Ireland negotiated with the landlord of Athy Model School Farm for the sale of the new buildings; and, if the Commissioner who sold for £200 the buildings, which cost nearly £2,000, and the landlord are the same person?

MR. W. E. FORSTER, in reply, said, he had no doubt that the allusion in the Question was to the Duke of Leinster; and he thought it would have been better if the hon. Member had openly said so. But any innuendo which the Question contained was unfounded. The buildings referred to by the hon. Member were put up in 1848. They were designed for educational purposes, and their original cost was £962, not £2,000. A Committee of the Board of National Education, of which Committee the Duke of Leinster was not a member, resolved to surrender the farm and advise the Board to request the Duke to accept the surrender and to state his terms. This he did, paying £200 for the offices. The surrender was authorized by the Lords Commissioners of the Treasury. The Duke of Leinster, as a Commissioner of National Education in Ireland, had had nothing to do, either directly or indirectly, with the negotiations of the Board.

POST OFFICE—TELEPHONIC COMMUNICATION IN DUBLIN.

MR. GRAY asked the Postmaster General, Whether the Secretary to the Dublin Post Office has written to the Dublin Corporation threatening them with legal penalties if they carry out an agreement with the Telephone Company, by which, for certain concessions, they as owners of the streets agree to permit the lines of that Company to cross the public thoroughfares; whether he is aware that in consequence the Corporation have suspended the completion of an arrangement of great public advantage, by which all the police stations, fire brigade, and fire-escape stations, as well as the various subscribers to the Telephonic Exchange, would be placed in instant communication day and night with the central fire brigade station; whether the letter in question was written under legal advice; whether as a matter of fact the Post Office can legally prohibit owners, public or private, permitting a wire for telegraphic or telephonic, or any other purpose, being run over their individual property; whether, if no such legal power exists, the letter will be withdrawn; and, whether, if the Post Office have the power to prevent the carrying out of the arrangement in question, and are determined to exercise it, he will take steps to afford to the authorities and citizens of Dublin by some other means the facilities and protection of which they will thus be deprived?

MR. FAWCETT: Sir, in reply to the hon. Member for Carlow, I beg to state that the Secretary to the Post Office in Dublin has informed the Dublin Corporation that an opinion has been given by the Law Officers of the Crown that the erection of telegraphs on public roads and streets, by persons or bodies not authorized by Act of Parliament, and, therefore, not within the purview of the Telegraph Act of 1863, is illegal. From a letter which has been received from the Town Clerk of Dublin, I am aware that the arrangements proposed to be made with the Telephone Company have been broken off. In the same letter application is made for the terms upon which the Department would establish the communication with the Fire Brigade station to which the hon. Member refers, and so soon as the necessary inquiries have been made a reply will be given. I may add that the Post Office is willing to allow private persons or companies to establish telephonic communication on certain conditions, and that the Post Office is itself prepared to establish telephonic communication in Dublin and other towns on terms which have already been stated in the advertisements which have appeared in the newspapers and in the notices to the public exhibited at the various post offices.

POST OFFICE LAWS—DETENTION AND OPENING PRIVATE LETTERS.

MR. T. D. SULLIVAN asked the Postmaster General, Whether any officials of the Government are at present empowered to open and read, for purposes of State, private letters entrusted to the care of his department, either in Great Britain or Ireland?

SIR WILLIAM HARCOURT: Sir, the duty of answering this Question belongs to the Secretary of State, and not to the Postmaster General, who has no responsibility in this matter. I will, therefore, with the leave of the House, reply to it. The power of the Secretary of State to open and detain letters is one which is reserved and sanctioned by Parliament in the Statute 1 *Vict.* c. 36, s. 25, and has been deliberately continued ever since. The employment of that power is an act of the gravest responsibility, not to be exercised except upon urgent necessity for the safety of the State and of Her Majesty's subjects. The existence, known to the Government, of treasonable plots carried out by secret societies, like the Fenian conspiracy, which pursues its felonious ends by the most atrocious means, would justify and require the use of that power in the present as in past times. But the very nature of the dangers which might demand its employment is such as requires the Minister intrusted by Parliament with the right and the duty of putting it in force to ask the support of this House in declining to make any statement which might baffle and defeat the object for which it was conferred. This power should either be taken away from the Secretary of State, or, if the grave responsibility of possessing it is imposed upon him, he should be protected in times like the present in his discretion as to its exercise.

MR. CALLAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he has or has not exercised the power in the case of any Member or Members of the House during the present Session of Parliament?

MR. W. E. FORSTER: If I were to reply to that Question, it would be in exactly the same words as those employed by my right hon. and learned Friend the Secretary of State for the Home Department in the answer which he has just given.

TEINDS OR TITHES (SCOTLAND)—LEGISLATION.

COLONEL ALEXANDER (for Mr. COCHRAN-PATRICK) asked the Lord Advocate, If it is the intention of Her Majesty's Government to legislate on the subject of Teinds in Scotland this Session?

THE LORD ADVOCATE (Mr. J. M'LAREN): In reply to the Question of my hon. Friend, I have to state that a Bill is in preparation for the improvement of the law with regard to Teinds or Tithes in Scotland, and that it is my intention to introduce this Bill as soon as the state of Public Business will permit.

ARMY—MILITIA EMBODIMENT.

SIR JOHN HAY asked the Secretary of State for War, If it is intended to embody any portion of the Militia, in order to render available a sufficient number of full grown soldiers for service in the Transvaal and Ashanti Wars?

MR. CHILDERS: No, Sir; I have no such intention. Before any portion of the Militia can be embodied it would be necessary for Her Majesty to communicate to Parliament the fact that there existed "imminent national danger" or "great emergency." In the opinion of Her Majesty's Government no such imminent danger or emergency exists.

TREATY OF BERLIN—ARTICE 61—THE ARMENIANS.

MR. BAXTER asked the Under Secretary of State for Foreign Affairs, with reference to the Sixty-first Article of the Treaty of Berlin, which is as follows:—

> "The Sublime Porte undertakes to carry out, without further delay, the improvements and reforms demanded by local requirements in the provinces inhabited by the Armenians, and to guarantee their security against the Circassians and Kurds. It will periodically make known the steps taken to this effect to the Powers, who will superintend their application,"

If he would state to the House what "improvements and reforms" have been carried out, what "steps taken to this effect" have been "made known to the Powers," and what guarantee the Armenians have obtained against attacks from Circassians and Kurds?

SIR CHARLES W. DILKE: Sir, the various administrative and judicial reforms which have been promised by the Porte will be found in their Notes of July 5 and October 3, which have already been laid before Parliament. The inadequacy of the proposed measures was pointed out by the Representatives of the Powers; but I regret to say that the reforms promised have as yet either not been put into operation, or carried out in such a manner that no benefit has been derived from them.

CONTAGIOUS DISEASES (ANIMALS) ACTS—FOOT-AND-MOUTH DISEASE.

SIR HERBERT MAXWELL asked the Vice President of the Council, If he has any further information of the outbreak of foot and mouth disease in Wigtonshire; whether there is any further outbreak in Scotland; and, whether, in view of the difficulties in the way of uniform and united action among the Local Government Boards in Scotland, he will not advise the absolute prohibition of the transit of cattle from one infected district or county to another, except for purposes of slaughter?

MR. MUNDELLA: I am glad to be able to state, Sir, that the reported outbreak of foot-and-mouth disease in Wigtonshire was entirely unfounded. There is at present, so far as we know, no foot-and-mouth disease in Scotland. In reply to the second Question, I have to say that, as we find the imports of cattle from England and Wales at this period of the year are very small, and that the local authorities of the large consuming populations of Glasgow and Edinburgh have already prohibited importation, we have decided on extending the prohibition to the whole of Scotland, so far as imports from England and Wales are concerned, and an Order is in course of preparation to that effect. Store cattle may still be imported from Ireland, as there is no infection in that country.

ENDOWED INSTITUTIONS (SCOTLAND) BILL—GRANTOWN FEMALE INFANT SCHOOL.

MR. THOMASSON asked the Vice President of the Council, Whether the scheme of the Grantown Female Infant School, by which a recent endowment for female education is to be used for bursaries for children of both sexes, is in accordance with the principle of the Endowed Institutions (Scotland) Bill of this Session; and, whether it is intended by that Bill that funds left for the education of boys are to be devoted in part to the education of girls?

MR. PENNINGTON asked the Lord Advocate, Whether he is aware that by the Provisional Order relating to the Grantown Female Infant School, laid upon the Table of the House on January 6th, an endowment made in the year 1861 for the exclusive benefit of female children, has been appropriated for the higher education of children of both sexes, and for the foundation of bursaries; whether such bursaries are for girls only, or for boys; and, whether, considering that endowments for the education of girls are comparatively few in number, the Government approve of the appropriation of any portion of this endowment to the education of boys?

MR. HENDERSON asked the Secretary of State for the Home Department, Whether he will withdraw the Provisional Order relating to the Grantown Infant Female School until the state of public business will enable a discussion to be taken upon the propriety of the scheme sanctioned by such Order?

MR. MUNDELLA: Sir, the Question relating to the Grantown Provisional Order will be answered by the Lord Advocate, as the Education Department is not the final authority under the Scotch Act of 1878. The Endowments Bill of this Session specially proposes in Section 15, that in framing schemes provision shall be made for extending to girls the benefits of endowments, and so long as I am associated with the Education Department I will endeavour to secure a fair share for the girls.

THE LORD ADVOCATE (Mr. J. M'LAREN): The Grantown Endowment consists of two legacies amounting to £1,800, one-half of which has been applied to building a school, which has, in fact, been used for the education of children of both sexes. The Governing Body desired to legalize that usage. The Commissioners, after taking evidence, and without objection from the locality, reported in favour of the scheme, and the Education Department saw no objections to it. It did not appear to me, as Legal Adviser of the Home Department, that there were any good reasons for disagreeing with the recommendation of the Governing Body and the Commissioners. The English Endowed Schools Act, 1869, contains a direction to the Commissioners in framing schedules to provide for the extension to girls of the benefit of educational endowments. I therefore could not suppose that the extension of the benefit of the Grantown Endowment to both sexes was either inequitable in itself or opposed to Parliamentary policy.

SIR WILLIAM HARCOURT said, in reply to the hon. Member for Dundee (Mr. Henderson), that as the Education Department, the Commissioners, the Trustees, and the Lord Advocate were all agreed that this Provisional Order should go on, he did not think he would be justified in withdrawing it.

AFRICA (WEST COAST)—ATTACK ON A GERMAN VESSEL.

MR. ARTHUR COHEN asked the Under Secretary of State for Foreign Affairs, Whether it is true, as lately reported from Gibraltar, that Her Majesty's Government have declined to co-operate with the German Government in sending a ship of war to punish a tribe on the West Coast of Africa who had been guilty of attacking a crew of a shipwrecked vessel; or, if not, what action Her Majesty's Government has taken in the matter?

SIR CHARLES W. DILKE: Sir, a German steamer, the *Carles*, having been plundered and the crew ill-treated by some savages on the Liberian coast, the German Government have sent the *Victoria* to exact a reparation, and Count Münster has asked that the British authorities on the coast may be instructed to give all assistance in their power to the commander of this vessel. To this Her Majesty's Government have agreed, and instructions have already been sent to the Governor of Sierra Leone and the senior naval officer. The active co-operation of Her Majesty's Government was not asked, and there is consequently no foundation for the statement that it was refused. I may add that the German Government have given positive assurances that they do not wish to engage in military operations against Liberia, but that they wished to induce the Liberian Government to assist in punishing the savages.

STATE OF IRELAND—DISTRESS IN LIMERICK.

MR. O'SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If he has heard that distress prevails among the labouring class in different parts of the county Limerick; and, if so, whether he will take any steps to have the works which were passed at the different Road Sessions throughout that county commenced without further delay?

Mr. W. E. FORSTER, in reply, said, a great want of employment, unfortunately, existed amongst the working classes in the County Limerick, and the Boards of Guardians throughout the county were authorized to issue out-door relief under Section 3 of the Relief Act while it contined. Extraordinary presentment sessions were convened and works passed at them, and in five baronies the works that had been passed had been recommended by the Local Government Board Inspector, besides which the works passed in two other baronies were under his consideration.

ARMY—ROMAN CATHOLIC SOLDIERS (GUERNSEY).

Mr. BELLINGHAM asked the Secretary of State for War, Why the Catholic soldiers of the 87th regiment and of the artillery at present stationed in Guernsey did not attend Divine Service on the Feasts of the Circumcision and the Epiphany although requested to do so by the chaplain, in accordance with War Office Letter 1299, and why the commanding officers of those regiments took no notice whatever of the chaplain requesting that the soldiers should attend?

Mr. CHILDERS: Sir, in reply to the hon. Member, I have to inform him that I have received this morning letters from the officers at Guernsey commanding the Artillery and 87th Regiment on the subject of his inquiry. The officer commanding the Artillery is himself a Roman Catholic, and he says that the feast of the Circumcision, generally known as New Year's Day, fell this year on a Saturday, when there were only fatigue parades, and any Roman Catholic soldier might have had leave to go to Mass. Father Doran's letter, however, did not reach him till noon on that day. He gave leave to all the Roman Catholic soldiers who wished to go to Mass on the feast of the Epiphany, but no soldier gave in his name. The letter of the Roman Catholic chaplain to the Colonel of the 87th Regiment was addressed to him by name, not by office, and as he was absent on leave it was forwarded to him, but did not reach him in time. Had it been addressed to the officer in actual command, the Roman Catholic soldiers would have been allowed to go to Mass on both days.

SOUTH AFRICA — THE TRANSVAAL (NEGOTIATIONS)—MEDIATION.

Sir WILFRID LAWSON begged to ask the Under Secretary of State for the Colonies a Question, of which he had given him private Notice, Whether any steps were taken to communicate to Sir George Colley the substance of Lord Kimberley's telegram to President Brand asking the mediation of the Orange Free State before Sir George Colley fought the battle of Laing's Nek on January the 28th, seeing that the said telegram was sent to President Brand two days previously?

Mr. GRANT DUFF: The telegram of the 26th did not, as my hon. Friend supposes, suggest the mediation of the Orange Free State. It was a reply to a suggestion made by President Brand that certain terms should be offered to the people of the Transval, through Sir Hercules Robinson, if they ceased from armed opposition. The answer of Her Majesty's Government was simply an amplification of its previous letter of the 10th to Mr. Blyth, and his telegram of the 11th, both of which are in the hands of hon. Members. There was no object whatever to be gained by re-communicating to Sir George Colley what he had already known since the 12th of January—namely, that Her Majesty's Government was quite prepared to make certain terms if the Boers ceased from armed opposition.

SOUTH AFRICA—THE TRANSVAAL (MILITARY OPERATIONS).

Colonel STANLEY: Perhaps the Secretary of State for War will allow me to ask him a Question, of which I have given him private Notice, Whether he can tell us yet what decision the Government have come to in the matter of sending reinforcements to the Transvaal; and also, whether any further news of the actual progress of the campaign has been received?

MR. CHILDERS: In reply to my right hon. and gallant Friend, I have to say, continuing the Answer I gave him on Friday last, that the actual offer made to Sir George Colley, and which I then expressed in general terms, was to send him two regiments and a wing of Infantry, 1,500 drafts to the Infantry regiments now with him, two regiments of Cavalry with their horses, and a battery of horse or field Artillery, all to arrive in March. Sir George Colley, in reply, late on Friday night, asked only for the Infantry drafts, one regiment of Cavalry, and some Artillery drafts. I conferred with Lord Kimberley and my Military Advisers on Saturday, and we determined to send all that Sir George Colley had expressed his readiness to accept, and in addition another Cavalry regiment with their horses and a transport company of the Army Service Corps with their mules, and all the necessary arrangements have been made accordingly. My noble Friend the Member for Haddingtonshire (Lord Elcho) will be interested in knowing that we are sending out with the Cavalry regiment from this country a supply of long Martini-Henry rifles with slings, and I hope that the experiment will be satisfactory. My right hon. and gallant Friend also asks me what telegrams we have received. Since those published in this morning's papers the only telegram of importance is the following, dated yesterday, from the General Officer Commanding, Natal and Transvaal, to the Secretary of State for War:—

> "Mount Prospect, Feb. 13, 3.10 p.m.
>
> "Report received from Administrator, Pretoria, dated the 14th of January. Successful attack on the 6th, by Colonel Gildea, with 400 men, on laager on Reman's River; Boers twice fired on troops after hoisting white flag. All well, forts safe and well provisioned. Boers' proclamation, 20th, full of false statements. Anstruther's death confirmed. Report received from Major Montague, Standerton, dated the 30th of January; attacked on the 29th of December (the next three words are unintelligible, they read thus—'infested smee has'); lost nine killed and wounded; raised corps 75 mounted men; keeps circle two miles clear; acting on defensive. Health and spirits excellent; position safe; can hold out two months if necessary."

SIR WALTER B. BARTTELLOT asked the Secretary of State for War, Whether there is any truth in the statement that only one troop of the 15th Hussars now serving in South Africa was mounted?

MR. CHILDERS: Sir, it is difficult to answer such a Question without Notice; but so far as I can recollect, and I think my memory is accurate, no such statement has been made by Sir George Colley or by any officer acting in Natal or the Transvaal.

COERCION (IRELAND)—ACTION OF THE CONSERVATIVE PARTY.

SIR HERBERT MAXWELL: I beg to give Notice that I shall ask the Vice President of the Council, If he is correctly reported in the public journals to have stated in a recent speech at New Cross, that—

> "The Conservatives were always ready to vote for coercion, and to make it as hot and as strong as possible;"

and whether those terms were intended to describe the motives of the support which had hitherto been given by the Conservative Party to Her Majesty's Government in a matter which the Government declared to be urgently necessary to preserve peace and order in Ireland?

MR. MUNDELLA: I think I can answer the hon. Gentleman at once. I did use those words, but I used also other words which he has not quoted, and which were to the effect that the Conservative Party had behaved exceedingly well in the present juncture.

SIR HERBERT MAXWELL: Perhaps I may be allowed to say that I did not read those words in the Report.

ORDERS OF THE DAY.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL.—[BILL 79.]

(*Mr. William Edward Forster, Mr. Gladstone, Secretary Sir William Harcourt.*)

COMMITTEE. [*Progress 11th February.*]

[THIRD NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Power of Lord Lieutenant to arrest and detain).

MR. R. POWER moved, in page 1, line 8, to leave out the word "wherever." He should be sorry if the Government declined to make any concession in regard to the wording of this clause. When a similar measure was introduced by a Conservative Government, several important concessions were made in order to satisfy the scruples of the Irish Members. So far, he was sorry to say, Her Majesty's Government had not manifested a similar spirit. In the Westmeath Act the words "wherever committed" did not occur, and he did not see that they were necessary in the present measure. The clause, as it stood, conferred very extraordinary powers upon the Lord Lieutenant not only in regard to Ireland, but also in connection with the acts of persons in America, Australia, or any other part of the world. The right hon. Gentleman the Chief Secretary told them that one of his reasons for introducing the Bill was that he might be able to put down certain dissolute ruffians and blackguards whom the police knew very well. If they knew all these men, and the villages where they were to be found, why should they ask for powers to arrest two or three Americans who might go over to Ireland with the purest intentions, and find themselves arrested the moment they got there? In point of fact, every man going from America to Ireland would be looked upon with suspicion, and arrested merely because he happened to come from America. He knew a case in which this actually occurred. A man was arrested, and although there was not a particle of proof against him, he was sent to gaol simply because he happened to come from America. It was only owing to the exertions of the then Member for Waterford (Mr. Blake) that this man was released from prison. From the moment he was released his steps were tracked, he could not go into the country, or pass from house to house, without being followed by a detective, and so much did he suffer from this persecution, that one night, when he was returning home, he threw himself over the bridge of Waterford and was drowned. He sincerely hoped that the Government would accept the Amendment.

Amendment proposed, in page 1, line 8, to leave out the word "wherever."—(*Mr. Richard Power.*)

Question proposed, "That the word 'wherever' stand part of the Clause."

Mr. W. E. FORSTER opposed the Amendment, and said, it would be absurd to pass a Bill if it did not include high treason, treason-felony, or treasonable practices, wherever committed. The effect of the Amendment was to declare that although there was reason to suspect a man of treason, treason-felony, or treasonable practices, yet if those treasonable practices were committed outside Ireland, the man who committed them should not be arrested if he went to Ireland. It was quite possible for a man to plan treason beyond the limits of Ireland with the view of carrying it out in Ireland, and it would be almost ridiculous that there should be no power in the Act to arrest that man when he landed in Ireland for the purpose of carrying out the treason he had planned elsewhere.

Mr. A. M. SULLIVAN asked if the Committee was to understand that if a man planned treason, or was guilty of treasonable practices in England, he would not be liable to arrest so long as he remained in England? That would naturally follow if the observations of the right hon. Gentleman were to be followed up to their conclusion. The right hon. Gentleman said that if a man was guilty of high treason, and went to Ireland to carry his treason into effect, he would be arrested and put in gaol when he reached Ireland. But suppose that the same man stopped in England to give effect to his treasonable offences. What did Her Majesty's Government propose to do with him? It occurred to him (Mr. A. M. Sullivan) that the high treason was just as likely to be committed, if committed at all, in England as in Ireland. Certainly, if there was any truth in the stories of high treason which they were told in regard to other times, any traitor meditating high treason against Her Majesty's Government could strike that Government on English ground far more effectually than on Irish soil. Was it intended to abandon the whole of Great Britain to men who were engaged in treasonable practices? ["No!"] Then why confine this Bill to Ireland, and why invite, in the peaceable communities of Great Britain the machinations of these traitors, saying to them—"Come over here to England, and you may pursue your objects with comparative impunity; whereas, if you go to Ireland, you will be taken up on suspicion?" The Government by this clause placed themselves in that miserable dilemma. If there were men who did acts here which would justify their arrest in the event of their going to Ireland, why were they not arrested on this side of Holyhead? They were to be perfectly free in Wales, or in Scotland, or in England. [MR. W. E. FORSTER: Certainly not.] Then was the right hon. Gentleman or his supporters in favour of extending the provisions of this measure to England? If they were, let them have the courage of their convictions, and say so. There was a reason why this word "wherever" ought to be omitted from the clause, and it was a reason which he thought ought to commend itself to the minds of Her Majesty's Government. They had manufactured and created a new crime—a crime that was never before known to the Statute Book in England—namely, treasonable practices. It was a crime unknown to the English Law from the days of William the Conqueror down to the present hour. What were the treasonable practices that were to come within the purview of this measure? It could not be treason, for that was dealt with as treason. It could not be treason-felony, because that was dealt with as treason-felony. What, then, were treasonable practices? And having taken upon themselves the odium of creating a new crime, Her Majesty's Government came to the illogical conclusion that a man was to be free to commit it in England, but was to be arrested in Ireland on the mere suspicion of attempting it. Nothing could be more unjust or more illogical. If this odious work was to be done, let them make it as odious as they could upon those who had to do it.

DR. COMMINS thought there was a great flaw in the reasoning of the right Gentleman the Chief Secretary. He seemed to suppose that a person might be guilty of treason, treason felony, or treasonable practices — whatever they might be—in England or in any other country, but that he could only be arrested if he went to Ireland. Nothing could be a greater mistake, and if it was not the argument of the right hon. Gentleman, then the right hon. Gentleman's argument was altogether baseless. Wherever the Chief Secretary had got his law, it was bad. Whoever concocted a treasonable conspiracy, and went from England, or any other country, to Ireland for the purpose of carrying it out was guilty of treason or treason-felony in Ireland, and as the law now stood could be arrested and prosecuted in Ireland. It was only necessary to remind the Committee of the case of O'Flaherty. He was not proved to have been guilty of any treasonable offence in Ireland; but as soon as he landed in Ireland he was arrested, and he was tried in Ireland and convicted, on the evidence of an informer, of treasonable acts committed in the United States of America. The same thing might be done again, and any person guilty of offences specified as treason or treason-felony could be arrested and tried. The offence did not differ from the offence of treason as defined in the Act of Edward III., except that the Act of Edward III. required the evidence of two persons, in order to prove an overt act, whereas this Act would only require the evidence of one witness. Under both Acts any person whatever, who was guilty of treason or treason-felony, could be arrested, tried, and convicted in Ireland. Therefore, he submitted that it was quite unnecessary to retain the words "wherever committed" in the clause.

THE O'DONOGHUE said, the Committee knew that the Bill was to be confined to Ireland. He wished to know, therefore, upon what principle persons were to be made liable in Ireland for acts done in Great Britain or elsewhere? The right hon. Gentleman the Chief Secretary had pointedly referred to the impossibility of obtaining evidence in England, Scotland, or Wales, and he had also plainly indicated that it would be difficult to find anything approaching evidence in a foreign country.

MR. BIGGAR was of opinion that Her Majesty's Government were most unreasonable in demanding that this word should be retained in the clause. The Bill was based, first of all, on reasonable suspicion; and it would be necessary to place before the Lord Lieutenant and the Chief Secretary a certain amount of information, in order to enable them to form a judgment as to the reasonableness of the suspicion. If the offence was committed in Ireland, the Government would be able to obtain something in the nature of direct evidence, and, at the very least, would be able to make inquiries; but if the information was only to be obtained in another country, the Executive Government would have no means of ascertaining to what extent the information given to them was of value, or how far the reasonableness of the suspicion was justified. He, therefore, submitted that it would be unjust to punish persons for treason, treason-felony, or treasonable practices, unless they had been committed in Ireland.

MAJOR NOLAN said, he did not take any very particular interest in the Amendment; but it had amused him to see how completely the Government had shifted their premises. In the first place, they said it was so hard to get evidence in Ireland that they must have power to arrest and imprison persons in Ireland for a year and a-half without evidence, and without sending them before a jury. But now, they said that the very crimes of which they complained might be committed in England or in America, and if the people who were guilty of them went to Ireland, then they might be arrested and put in prison. But if the offences were committed in England or America, why wait for 18 months before bringing the offenders to trial, seeing that the Government would be quite as able to try them in England as in Ireland? As he had said, he cared very little for the Amendment; but he was curious to know why this extraordinary change of position on the part of the Government had taken place.

MR. FINIGAN wished to know why the Government, if they insisted on retaining the word "wherever," did not extend the Bill to England? He certainly thought the question which had been raised by his hon. and learned Friend the Member for Meath (Mr. A. M. Sullivan) was one which required the attention of the Irish Law Officers. It certainly followed that if they were allowed to send a man to prison in Ireland for having made speeches in England which amounted to treason or treason-felony, or came within that mystic range of offences described as treasonable practices, they should also have the power of arresting the offender when the offence was committed. He was anxious to know what international right made treason, treason-felony, or treasonable practices committed in St. Petersburg, Paris, or New York punishable in Ireland? He thought the Government were acting, not only in a spirit hostile to the ordinary Statute Law, but hostile also to International Law. It would seem, however, that they had made up their mind to overthrow in Ireland everything in the shape of law. His own opinion was that at the present moment the ordinary law was thoroughly upheld and carried out in Ireland; and if he thought that there was such a thing in existence in that country as treason, treason-felony, or treasonable practices, he should feel it his duty to take a very different part in this debate from that which he was taking. But he did not believe that either treason, treason-felony, or treasonable practices existed, or, if they did, that they were of such a nature that they could be dealt with by the ordinary law. He, therefore, thought that the Government, by their Legal Advisers, were bound to show the legal bearing of the word "wherever." No logical reason had as yet been given why it should be retained; while, on the other hand, very good reasons had been given by his hon. Friends why it should be struck out of the clause. The Chief Secretary talked about having proof, and he understood the right hon. Gentleman to say that it would be obtained from foreign countries. But, on the other hand, he understood the Law Officers of the Government to say that they wanted no proof whatever, but only reasonable suspicion. He hoped the Government would omit the word, and consent to confine the Bill to acts done in Ireland; or, if they insisted upon it, that they would then extend the measure to England.

MR. O'SULLIVAN said, he could not understand the argument of the right hon. Gentleman the Chief Secretary in favour of extending the clause to acts committed in England and other countries. He thought it would be most dangerous to make such a provision apply to acts done in foreign countries. It would be only necessary to learn that a person was going to Ireland and then to forward information to the Government that he had been guilty of treasonable practices in America, or elsewhere, in order to secure his arrest the moment he landed. He would not object to the provision if the Act were extended to England; but he thought it would be dangerous to leave the matter as it now stood, seeing that it would open the door to the exercise of private vindictiveness. As the Bill was simply for the better protection of person and property in Ireland, it should be confined to Ireland; and if England was to be affected by it at all, the wisest course would be to extend it to the whole of Great Britain and Ireland.

MR. CALLAN said he would be unable to support the Amendment if the clause was confined merely to treason or treason-felony, because he thought that with regard to those crimes, wherever committed, the Government should have the power of arrest. But as he saw the Irish Law Officers of the Crown in their place, he was anxious to hear a word from them by way of explanation. The words "wherever committed" referred to "treasonable practices;" but, although he had spent an hour and a-half that morning in reading the Criminal Law in reference to treason, he had not been able to find a definition of "treasonable practices." He certainly thought that before they were asked to entrust these extraordinary and exceptional powers to the Irish Executive, some explanation should be given of what was meant by "treasonable practices."

MR. DALY asked if the Chief Secretary meant that an Irishman in England might commit treason, treason-felony, or treasonable practices, and yet as long as he remained in England, although the Government might be in a position to bring him to trial, where no intimidation could be brought to bear upon the witnesses, he was perfectly safe in England, and it was only when he got upon Irish soil that he would be liable to be arrested? He wished to have a clear definition from the Government of what they meant by the words "wherever committed." The manner in which such legislation was pressed forward was one of the reasons which induced the Irish people to despair of getting justice from the Imperial Parliament. He thought, however, that he was entitled to have an answer to this Question—Did it mean that if the Government were in possession of information as to incitement to treason committed in Great Britain, America, or any other part of the world, where there could be no intimidation of witnesses, and no difficulty in the way of bringing the case to trial, the person committing the offence would be perfectly safe and protected until he came upon Irish soil?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) said, the Bill had been drawn with great care, and it was considered necessary to insert the word "wherever," so that the clause should include all offences of this nature where-ever they might have been committed. The Bill empowered the authorities in Ireland to arrest a man even although his treasonable offence had been committed out of the country. Any person who had committed an overt act of treason anywhere might be arrested if found in Ireland.

MR. A. M. SULLIVAN asked what treasonable practices meant?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) said, that treasonable practices would include all attempts at treason which might not amount to actual treason. He believed that the words "treasonable practices" had been inserted in these Acts ever since 1688.

MR. LEAMY was sorry that the Attorney General for Ireland, when he stated that the Bill had been prepared by the Government with the utmost care and anxiety, had not been able to give a better definition of the term "treasonable practices." By this Bill they were going back to the days of Edward III., when there was such a thing as constructive treason. It was now proposed to deprive the people of Ireland of their liberties, without defining what crime was meant by treasonable practices. Nobody at present could could tell what treasonable practices were. They knew what high treason was, and what treason-felony was; but they were altogether unable to tell what was included under the head of "treasonable practices."

THE CHAIRMAN: The Committee have passed the words "treasonable practices," and are now upon the word "wherever."

MR. LEAMY said, he was aware that the Committee were dealing with the word "wherever;" but it must be taken in conjunction with the context. They were about to pass a clause which empowered the Irish Executive to arrest persons guilty of treason, treason-felony, or treasonable practices, wherever committed, and he thought he had a right to know what was meant by these offences, and what the particular acts were that would justify the arrest of a man. It was quite possible that, under this Act, a man might be arrested in Ireland for doing that which was perfectly legal for him to do in England, but which, under this measure, it would not be legal for him to do in Ireland, as it would come under the head of "treasonable practices." What he desired to know, for instance, was whether it would be possible to arrest his hon. Friend the Member for the City of Cork (Mr. Parnell) for a speech he might have made before the American Congress? How were they to know whether that was a treasonable practice or not? The question was whether the House was justified in giving to the Lord Lieutenant and the Chief Secretary power to arrest a man against whom there was a reasonable suspicion of treason, treason-felony, or treasonable practices, wherever committed, until they knew what was really designed. They knew perfectly well what treason and treason-felony meant; but it was possible that, by including "treasonable practices," they might confer on the Lord Lieutenant and the Irish Executive powers which were never dreamt of.

THE CHAIRMAN: I have already stated that the time for discussing treason, treason-felony, or treasonable practices, was when those words were before the Committee. The Committee have now passed those words, and the hon. Member, in discussing the meaning of the words "treasonable practices," is going beyond the Question before the Committee.

MR. LEAMY said, he objected to the insertion of the words "wherever committed," and he respectfully submitted that when they were conferring exceptional powers upon the Lord Lieutenant they had a right to define clearly what those powers were. If a man was guilty of treason in England, or treason-felony, or treasonable practices, the ordinary law in England was powerful enough to deal with him. If it were an Irishman, so acting in England, they might rest sure that he would be dealt with without fear, favour, or affection. Under those circumstances, he had a right to ask what the offences were, the commission of which outside the Kingdom, would give the Lord Lieutenant the power of arresting the man who was charged with committing it. The Chief Secretary seemed to infer that it was a different thing to allow a man to commit treasonable offences in England with impunity, and then to allow him to be at large if he happened to cross over into Ireland. The moment he reached Ireland he was to be arrested, and, in that case, he would be arrested for acts not committed in Ireland but in England. What he wished to understand clearly was whether so long as a man remained in England he was free to be guilty of treason, treason-felony, or treasonable practices, and permitted to conspire even with persons in Ireland for treasonable objects without fear of arrest? If not, then he contended that the law as it stood was sufficient in England to deal with such a man, and that there was no necessity for creating a fresh offence in case the offender went to Ireland.

MR. T. C. THOMPSON said, he had failed to gather from the Government what was the precise object of this part of the clause. Suppose that a man had committed in England some small offence which came under the category of "treasonable practices;" but the Government abstained from prosecuting him there, where he would be sure of a fair trial and might probably be acquitted by an English jury. If such a man went to Ireland, was he to be, under this Act, liable to be arrested for the offence he was supposed to have committed in England? If that was to be so, he should not only vote for the Amendment, but he hoped that every English Member would take a similar course.

SIR JOSEPH M'KENNA quite understood that the point the Committee had now arrived at did not refer to "treasonable practices," but to the phrase "wherever committed," and it would depend upon the meaning attributed to that phrase in conjunction with the other provisions of the clause, whether it ought to be inserted in the Bill or not. His own opinion was that the measure would be just as effectual without those words. He would leave upon the Lord Lieutenant and the Executive Government the responsibility of saying what the treasonable practices were that would justify an arrest; but the suspicion of treasonable practices committed anywhere was so indefinite that it would cover anything. Seeing that the expression "treasonable practices" was so very vague, although it had been agreed to already, he hoped some attempt would be made to give a clear definition of it, rather than adopt the words "wherever committed."

MR. M'COAN remarked, that in objecting to the clause he would not hark back upon the phrase "treasonable practices," except in conjunction with the words "wherever committed." So far as he was aware, "treasonable practices" formed a crime hitherto unknown to the English Law. He challenged contradiction to that assertion. Within his knowledge no indictment had ever been framed for such a crime in England, and no man had ever been convicted of it. In, fact it was not a crime at all; and in the name of justice and fair play why should they make that a crime in Ireland which was not a crime in England? ["Question!"] He was speaking strictly to the Question, as the hon. Member who interrupted would discover if he had the intelligence to follow him (Mr. M'Coan) in the discussion. It was sought by this clause to make that which was not an offence in England, and for which a man could not be arrested under the existing law in England, a crime in Ireland. He thought the power of the Government would be sufficiently extensive in Ireland, even if this word were excluded from the clause. Let the Government arrest a man if they liked for treason or treason-felony, wherever committed; but they ought not to be allowed to make that an offence in Ireland which was not an offence in England.

MR. MORGAN LLOYD said, that hon. Members opposite were mistaken in supposing that "treasonable practices" were not indictable in England. A treasonable practice meant treason, treason-felony, or an attempt to commit either the one or the other.

Question put.

The Committee *divided*:—Ayes 234; Noes 45: Majority 189.—(Div. List, No. 36.)

MR. A. M. SULLIVAN rose to move, in page 1, line 9, after the first word "committed," the insertion of the words, "against the provisions of any statute now existing." He was most anxious that the time of the Committee should not be unnecessarily taken up, and if the Government would signify assent to the insertion of these words he should resume his seat at once. The Attorney General for Ireland intimated some time ago that treasonable practices constituted a crime already well known to the law, and, if that were so, there could be no objection to the proposed Amendment. His object was to amend the clause, so that it would run "or treasonable practices, wherever committed, against the provisions of any statute now existing." Now that explicitly raised the question, whether there was not, under cover of this Bill, an attempt to coin a new crime utterly unknown to the law? If the Government meant by treasonable practices any crime known to the law at present as against any statute now in existence, he should not move the Amendment; but he could not find in the records of the Criminal Law that any man had been indicted for treasonable practices. Any treason was treason—that was to say, it was either treason or treason-felony—and as to telling the House there was such a thing as an accessory to treason, the Attorney General for Ireland knew that there could be no accessory, inasmuch as all were principals. There were in the clause important phrases and charges unknown to the Law of England, the introduction of which for the first time into the present Bill would lead to serious consequences hereafter. ["Oh, oh!"] Hon. Members might not at that moment be in the humour to listen to that argument, but they would some day acknowledge its truth. He protested against this manufacture of new offences. If Her Majesty's Government, while objecting to the terms employed in his Amendment, said that treasonable practices were already within the law, let them express it in phraseology of their own, because he only desired that offences against the present law should lie under the phrase which he wished to amend. He objected that in a Bill conferring such extraordinary powers as the present, loose phrases should be admitted. It was not so much a question what were the treasonable practices, as what would be called treasonable practices by the policeman. It had once occurred that a policeman had brought up a man on the charge of being "obnoxious to the authorities" in his own district. Perhaps treasonable practices were constituted by whistling in the streets in the presence of a magistrate.

THE CHAIRMAN said, the term treasonable practices had already been discussed, and the hon. and learned Member must now confine himself to the Amendment he was about to move.

MR. A. M. SULLIVAN was now contending that the treasonable practices should be known to the Statute Law, and, therefore, he was entitled to reason upon them in this sense as opposed to what might be considered treasonable practices in the mind of a village policeman. What were treasonable practices, unless those known to the law? And what would constitute treasonable practices not against the provisions of any statute now existing? He had alluded to a case that had happened in Ireland, of a boy brought up on a charge of whistling in the streets in the presence of a magistrate; and such were the offences which would, under the loose phraseology of the clause, be punishable in Ireland as treasonable practices unknown to the law. The House would remember the story of the prisoner who was sent to the punishment cells on bread and water, because he would not register himself as a Catholic, Protestant, or Presbyterian. Anything was possible in Ireland, and he would not trust Her Majesty's Government with the powers they asked for without the safeguard contained in the words of his Amendment. Let the Government, in their own phraseology, say they meant a crime known to the law, or he and his hon. Friends could not allow the clause to pass which would enable them to send to gaol for 18 months a person suspected of treasonable practices.

Amendment proposed,

In page 1, line 9, after the first word "committed," to insert the words "against the provisions of any statutes now existing."—(*Mr. A. M. Sullivan.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) was understood to say that he regretted Her Majesty's Government could not accept the Amendment of the hon. and learned Member for Meath. There was one fatal objection to it, for the hon. and learned Gentleman would know that attempts to commit crime were in themselves misdemeanours at Common Law. It was quite true that some misdemeanours had been made statutory offences also, for the purpose of inflicting appropriate punishment. The Government would be stultifying themselves by agreeing to the Amendment.

SIR HENRY TYLER regretted to contend, in reply to the hon. and learned Member for Meath (Mr. A. M. Sullivan), who had charged Her Majesty's Government with inventing in the Bill new offences, that there had, on the other hand, been new crimes invented in Ireland that had not been specially dealt with in the Bill before the Committee; and, therefore, he suggested that instead of adopting the Amendment of the hon. and learned Member, the Committee should insert words that would deal with the new crimes to which he referred.

DR. COMMINS thought the Attorney General for Ireland had mistaken the drift of his hon. and learned Friend's argument. He seemed to suppose that unless the words "treasonable practices" were introduced, that certain offences would escape the punishment proposed by this Bill. Now, no person could be accessory in a case of treason without being guilty of treason and liable to prosecution therefore. But the Attorney General for Ireland suggested that as they had the crime of treason-felony in the Bill, there might be accessories to it. He (Dr. Commins) contended that it was utterly unreasonable to include the term "treasonable practices," in order to provide for accidents; and he would repeat that if such a crime was to be found in the statutes, there had never been for it any indictment, trial, or conviction in England. It was provided that every offence must be defined by a certain Act; and in view of the necessity of confining the application of the Bill to things not merely displeasing to policemen and magistrates, he would support the Amendment of his hon. and learned Friend the Member for Meath.

MR. LEAMY strongly supported the Amendment before the Committee, on the ground that if the term "treasonable practices" were left without the controlling words sought to be introduced, its vagueness would leave it very doubtful what would constitute the offence. They had heard the Attorney General for Ireland say it was an offence at Common Law; but he (Mr. Leamy) found that under the ancient Common Law there was great latitude left to the Judges to determine what constituted high treason. And he submitted that unless the controlling words of his hon. and learned Friend were inserted in the clause, the Committee would, in the words of *Blackstone*—

> "Enable those having the administration of Executive powers in Ireland to raise up by force an offence into the crime of treasonable practices which had never been considered to be such."

The Statute of Edward IV. was made to determine the offence of high treason. But it was impossible to know what constituted treasonable practices. He and his hon. Friends said there was no statute which defined them—that no statute enacted in the days of the most despotic Kings which made offences of a treasonable character. Those statutes always mentioned some specific act, and defined it as contrary to the law or peace of the Realm. But now it would be impossible for any man in Ireland to know whether he was guilty of an offence which would place him within the exceptional powers of the Lord Lieutenant and the Chief Secretary for Ireland. The Lord Lieutenant might deem it a treasonable practice to march in procession; but the Irish people would not know whether it was so or not. If there was in existence any Act of Parliament which so defined marching in procession, with a green banner displaying a harp, the Irish people ought to be made acquainted with it. On the other hand, if there was no such statute, he asked, would or would not that act be a treasonable practice? Some definition of this crime ought to be given; for it was a well-known legal maxim that every man was supposed to know the law, and that ignorance of the law would excuse no man. But, surely, the vague language of the Bill ought to excuse any man? In his own city some years ago, under a suspension of the Habeas Corpus Act, four or five boys were marching through the streets, one of them playing a concertina; the words "right wheel" were heard, and the lads were sent before the magistrates and committed to gaol. Therefore he wished to know how the Lord Lieutenant could decide whether any particular act constituted a treasonable practice? It was out of the power of the Lord Lieutenant to decide whether a man was guilty of treason-felony, because he would have the assistance of existing Acts of Parliament. There could be nothing more dangerous than that Penal Laws, which struck at the Constitutional liberty of the subject, should be loosely worded, and that there should be room for despotic and prejudiced men to use such laws to the detriment of individuals and the community at large. For his own part, he did not trust the men who would have to administer these Executive powers—and, in saying that, he did not mean either the Lord Lieutenant or his Chief Secretary, but the men who would necessarily be entrusted by them with the powers in question. He well knew that many men in Ireland would exercise those powers hardly; for the men placed in authority there were opposed to the people against whom those powers would be exercised by birth, prejudice, and by all their surroundings. Those persons might think they used those powers honestly in putting down public meetings. And that, again, showed the necessity of accurately defining the terms of the Bill. Her Majesty's Government asked for powers for the Lord Lieutenant to punish men concerned in certain outrages. Everyone knew what an outrage meant, and a man could avoid committing one, and need not, therefore, be sent to prison; on the other hand, a man might be guilty of what the Lord Lieutenant might hold to be a treasonable practice, without knowing it. Therefore, he urged that the people should have it defined to them how far they might go.

The CHAIRMAN said, he must remind the Committee that, under cover of this Amendment, they were discussing words already passed; and he must urge upon hon. Members strictly to confine their observations to the Amendment of the hon. and learned Member for Meath. No Motion had been made for the omission of the words "treasonable practices" when they were properly the subject of discussion.

Mr. LEAMY pointed out, that in supporting the controlling words sought to be introduced by the hon. and learned Member for Meath, it was absolutely necessary to connect them with the passage they were intended to control, and, therefore, he submitted he was perfectly in Order.

Mr. T. P. O'CONNOR had listened very carefully to the reply of the Attorney General for Ireland, which for the moment had appeared to him perfectly conclusive, with regard to some of the objections of the hon. and learned Member for Meath. But, upon examination, he found the argument of the right hon. and learned Gentleman to be this. If they put in the words of the Amendment they would exclude some of the offences which the Bill was intended to reach, because a number of offences which they wished to make punishable under this Act were of the nature of misdemeanours. That, he thought, was a fair statement of his argument. Now, he challenged the right hon. and learned Gentleman to go through the Return, and give from it any offence which was not punishable under the Statute Law; and if there were no offence in the Agrarian Returns punishable by Common Law, and not by Statute Law, he asked what objection there could be to inserting the words of the Amendment? He understood that an attempt at crime was in the nature of misdemeanour, and not of felony; but was not every serious attempt at crime a felony? The words of limitation were a limitation of all the words that preceded it; and he submitted that he was in Order in showing how those words would affect the crimes of treason, treason-felony, and treasonable practices. There fore, keeping himself within those narrow limits, he should draw the serious attention of the right hon. and learned Gentleman to the abuses of the Act which might take place, unless the controlling words of the hon. and learned Member for Meath were applied. The Chief Secretary for Ireland knew perfectly well that he would be unable always to exercise a controlling power over the application of this Act, and he must also know that hon. Members could not agree to the passing of Acts, simply upon their knowledge of his desires and good wishes. He and his hon. Friends were bound to assume that the right hon. Gentleman intended to push the application of the Act to the fullest possible extent. They must deal with the right hon. Gentleman, in giving him such powers, as if he were a person whose disposition was to make the most cruel and tyrannical use of them which the law permitted. He brought that under the notice of the right hon. Gentleman to show what his subordinates would do in spite of him; and he found, before the Act had become law, an instance of the arbitrary exercise of the power given to magistrates under cover of words similar to those under discussion. A young gentleman of Loughrea, named Hugon, was sentenced recently to three months' imprisonment for no other crime, as far as he could discover, than that of having announced his preference for a Republic as against a Monarchical form of government. Was it not open to a man in Ireland to express a speculative opinion in favour of a Republic? It was in England; and he thought he knew hon. Members of the House, and who were occupants of the Treasury Bench, who, if they went to Loughrea, might be served as his friend Hugon was. There was a time in Ireland when, under a similar Act, it was dangerous to express even by habiliments what were supposed to be national principles.

The CHAIRMAN: The illustrations which the hon. Member has brought forward have not much bearing on Statute Law or even Common Law. I hope the hon. Member will take the hint that the Amendment must be closely spoken to.

Mr. T. P. O'CONNOR said, he was endeavouring to show what was the effect of a loosely-worded Act of Parliament; but he would not pursue that point. He thought it would be better to insert the words "Statute Law," because they would cover, not only every offence, but every serious attempt at offence. But if the Committee thought not, he should be quite willing to put in the words "every offence committed under Statute Law."

Mr. BIGGAR thought the Government was disposed to settle the question by what he would call mob law. The Attorney General for Ireland had laid down the doctrine that the Government should refuse to agree to any Amendment, on the ground that the Bill had been carefully considered. That doctrine, if carried out, was in favour of the right hon. and learned Gentleman; but it seemed to him that the argument with regard to the proposed Amendment was unanswerable, that some words should be inserted defining the alleged offence. It had been argued that there was no such offence known in law; and on the other side it was argued that the expression objected to appeared in other Acts of Parliament, but that, at the same time, it was desirable that alleged offences should be defined to the extent of Statute Law. They in Ireland did not even have an opportunity of forming an opinion as to whether or not they were liable to punishment; but if they were to be at the mercy of what any responsible or irresponsible person might consider a treasonable practice, they could not possibly take part in any political affair, however small, without being suspected of committing an offence. It had been held that the Land League Courts were offences. That might or might not be the case; but if it was so, then it would be an offence to be seen going into a room in which a Land Court was to be held—and that even without proof that a Court was about to be held, for all that was required was "reasonable suspicion" that a Court was to be held. Thus, any person going into the particular room, or even into the house, or any person connected, in the slightest degree, with the Court being held, would be guilty of treasonable practices. He thought the Government were perfectly unreasonable in their objection to that particular Amendment, for it was not fair or reasonable that people should be punished for the supposed infringement of anything beyond Statute Law. That thing, Common Law, seemed to him perfectly absurd, for it depended, not on what was the law, but on any Judge's declaration of his opinion as to what the law ought to be.

MR. WARTON informed the Committee, that in the Statute 26 George IV. chap. 6, the words were "treasonable and seditious practices."

MR. FINIGAN scarcely thought that the fact that the words in question occurred in all previous statutes was a reason which a Liberal Government should adduce. It would come with a bad grace from that side of the House; and he thought the Government should give a sound and real reason, and not the sham reason that because the words occurred in other Acts of Parliament, therefore they should be maintained. It would be very hard indeed for any Member of the House to go to Ireland, if he agreed with the principles of the Land League, and ask the people of Ireland to organize in Constitutional form, when there was the risk of arrest under the words of the clause as it stood. Under some circumstances in Ireland, people excited by hunger and famine and all their concomitant circumstances, would do things which they would never dream of under a more favourable state of things; and he thought the words proposed to be left out in the Bill were very dangerous and ought not to be left in, while those proposed to be inserted were sound and legal in principle and in practice. He pressed the Government to accept the Amendment, because the difficulty was to find out for what crime a man might be arrested, no proof being required, only reasonable suspicion that he had been guilty of high treason, treason-felony, or treasonable practices. He had no sympathy with any of those offences; but he thought the House ought to lay down some definition, and that they could do by adopting the words proposed. They would then have some definite ground to go upon; and he hoped the Government would either give some better reason for retaining the words in the clause than old precedents, or accept the Amendment.

Question put.

The Committee *divided*:—Ayes 45; Noes 221: Majority 176.—(Div. List, No. 37.)

DR. COMMINS proposed, in page 1, line 9, to leave out from "of" to "order" in line 12, and to insert the words—

> "Any agrarian offence being murder, manslaughter, firing at the person, aggravated assault, assault endangering life, assault on a bailiff or process-server, incendiary fire or arson, taking or holding forcible possession, killing, cutting, or maiming cattle, levying contributions, demand or robbery of arms, administering unlawful oaths, intimidation otherwise than by threatening letters or notices, attacking houses, firing into dwellings, or assault on the police."

One reason why he made this proposal was that the offences described were well known, well defined, and thoroughly defined; they were offences with which the Courts and the lawyers and the people of Ireland were thoroughly acquainted. No person would fail to understand what those offences were when so described; every person would then know what to avoid, and, by knowing the law, would be able to rule and guide his conduct. But what would any person understand by the words he proposed to have deleted? Those words would cover anything that was an offence, no matter what the offence might be; they would, in fact, allow suspicion of any kind to be used in justification of any proceedings through which a man might be imprisoned for 18 months. The whole thing was inartistic. They had heard that the Bill had been carefully drawn; but, if so, then it must have been carefully drawn to introduce the greatest amount of undefinableness. The words were—

> "Any crime punishable by law committed in a prescribed district, being an act of violence or intimidation, or the inciting to an act of violence or intimidation, and tending to interfere with or disturb the maintenance of law and order."

That was a most extraordinary description of offences or suspected offences. He used so be under the impression, and he was so still, and until he heard something to the contrary very explicit he should remain under the impression, that nothing could be held punishable by law except something that interfered with the maintenance of law and order. He never knew any other test of crime, except that the act proscribed by law as a crime and punishable was an act which tended to violence or intimidation, or tended to disturb law and order. There was no other definition that could be given. An offence, however trifling, which should be visited by the infliction of a fine of 1*s*., might, by the constructive ingenuity of a policeman or a magistrate—for the right hon. Gentleman the Chief Secretary would, as a rule, not be able to look into all cases—be construed to be an offence which was to be dealt with under the provisions of that Act. Nearly all criminal offences were supposed to imply an assault; in fact, no offence was punishable unless it was an assault at Common Law. It must be what Blackstone called "the unlawful sitting upon some person." Now, every assault was an act of violence; so that in the Bill, as it stood, every offence, no matter what it might be, was included. The whole range of criminal offences might be brought under it. If a magistrate chose to suspect any person of any crime, of whatever nature, he could proceed against the alleged offender under that statute. Nor did the mischief end there. The Bill said—"Any act, being an act of violence or intimidation." An act of intimidation might be performed without a single movement of the body. The mere standing in a particular part of the street might be so. For instance, under the Masters' and Servants' Act, it was punishable for a man to stand opposite a workshop or in the road where persons passed to their work. And, further, there might be intimidation in the act of whistling, which had been alluded to already, where such whistling had had the effect of frightening a policeman or a process-server. Almost any possible act might, in fact, be construed into one of intimidation, and so come under the provisions of the Bill, and the offender might be punished for having committed a breach of the peace. So that, if that clause were to be construed in a large sense, it would certainly tend to the violation of law and order rather than the reverse. Such a wording as that of the present clause would leave the people exposed to the officious malevolence of a policeman, or the offended pride of a magistrate. Every person who was actuated by an evil motive might bring anyone under the Act, provided he only obtained the services of a policeman or magistrate. If the right hon. Gentleman the Chief Secretary could himself look into all the cases, it would be different; but the working of the Act must, of necessity, be left in the hands of policemen, magistrates, and informers. He submitted that they were about to introduce an intolerable system into a civilized country. When law ruled in any country, one of the greatest protections was that of protection to life and property. They were about to destroy that; for, by such a clause as that, life would not be worth living. No doubt, Ireland was not in so good a state as it ought to be; but if they passed that clause in its present form, matters would become a thousand times worse. It was only in the certainty of the Criminal Law, when the offences were strictly defined, so that the people knew what to avoid, and the punishment that would be incurred by a breach, that there was anything like proper liberty in any country. By introducing the words which he proposed, they would prevent the exercise of arbitrary power, and get some little guarantee that arbitrary imprisonment would not be resorted to under the provisions of the Act. No one knew what to avoid with the clause in its present form; and, therefore, it required amendment. No matter what was intended, it was capable of covering a power more arbitrary than any that was exercised in China, Persia, or Russia. Therefore, he must impress upon the Government the desirability of accepting the Amendment, as it would leave power in the hands of the authorities wide enough and amply sufficient to suppress offences against law and order. There appeared to be no reason why the Government should wish to have the power of manufacturing offences upon any occasion which might arise. If they desired what they proposed—namely, simply to pass a measure so as to put an end to a state of things which the existing law was supposed not to be capable of doing, the clause, as he proposed to amend it, would be quite sufficient for the purpose. Why did they want to have any hidden embers? Let the people see what their rights were, and what were the rights of their rulers, because the rulers should be restricted to the same rights as they themselves had. Let them be able to provide against offences. He was fully of opinion that the people of Ireland were as peaceable and law-abiding as any other nation, if they only knew what the law was by which they were governed. Let them not hang the law so high that nobody could read it, nor use words that might be held to mean anything. He implored the Committee, in conclusion, to accept the Amendment which he then begged to move.

Amendment proposed,

In page 1, line 9, to leave out from the word "of," to the word "order," in line 12, and insert the words "any agrarian offence being murder, manslaughter, firing at the person, aggravated assault, assault endangering life, assault on a bailiff or process-server, incendiary fire or arson, taking or holding forcible possession, killing, cutting, or maiming cattle, levying contributions, demand or robbery of arms, administering unlawful oaths, intimidation otherwise than by threatening letters or notices, attacking houses, firing into dwellings, or assault on the police."—(*Dr. Commins.*)

Question proposed, "That the words 'crime punishable by law committed in a prescribed district being an act of violence,' stand part of the Clause."

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) said, I regret that we cannot accept this Amendment. The hon. and learned Gentleman seems to consider it a small one; but it would appear to be one of very considerable extent. The words which he proposes to strike out are those which describe a class of crimes for which a man may be arrested. There can be no difficulty in applying the clause, for it distinctly states that the act, of the commission of which the man is suspected, must be a crime now punishable by law. It must be an act of violence or intimidation, and (not or) of a character which tends to disturb law and order. The hon. and learned Gentleman proposes to leave out of the clause altogether words which refer to a large class of crimes, such as those of inciting to the commission of crime. He deliberately omits from the clause a reference to those persons who have not the courage to commit the crimes, but incite others to do so. But, further, it seems to me that there is one fatal objection to the Amendment, apart from anything else, and that is that he confines it simply to the cases of agrarian crimes. If a murder was not agrarian —suppose, for example, the killing of a policeman in the streets of Dublin by some Fenian conspirators, as has happened—it could not be brought under the Act. It is quite true that the unhappy condition of things in Ireland has arisen out of agrarian causes; but it has extended far beyond those borders, and it is, therefore, necessary for the Government to seek special legislation for preventing crime, whether agrarian or non-agrarian. The Amendment runs thus—"Any agrarian offence being murder, &c." Therefore, no matter how serious the offence, or how much the peace of the community may be endangered, unless the Government are satisfied that its origin is agrarian, they could not proceed against it under that Bill. Moreover, it is not possible to accept the limitation that only the actual perpetrators should be brought within the scope of the Act. It is quite as necessary also to include accessories. Probably the hon. and learned Gentleman meant only to exclude threatening letters; but, as the Amendment runs, it seemed also to exclude firing into houses. No doubt, the hon. and learned Gentleman did not intend to exclude that class of crime. As regards threatening letters also, my opinion is that they are about the most mischievous form of intimidation that can be used—the most effective and the most cowardly—and, certainly, the Government are not disposed to accept any form of the clause which would exclude the power of proceeding against those who were suspected of manufacturing those terrorizing documents. We cannot accept the Amendment.

Mr. T. P. O'CONNOR said, that the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Law) had misunderstood his hon. and learned Friend's Amendment. He did include the offence of firing into houses among acts of intimidation.

The ATTORNEY GENERAL for IRELAND (Mr. Law): It appears to me that the Amendment would not include that offence. But I gave the hon. and learned Gentleman credit for not intending to omit it.

Mr. T. P. O'CONNOR said, that his hon. and learned Friend had included in his Amendment every form of intimidation, with the exception of threatening letters. He was sorry to hear the tone in which the right hon. and learned Gentleman had referred to the Amendment. It was a very reasonable one, and had been met with a distinct refusal from the Treasury Bench. He thought that the right hon. and learned Gentleman was making a mistake if he supposed that the Bill would not be more delayed if no Amendments were accepted than if the Government gave way upon some points. The real meaning of the Amendment was to exclude from the operation of the Act all offences except those against the person and serious ones against property. The justification for the Amendment was that the Returns which had been presented by the right hon. Gentleman and his Colleague the Chief Secretary were full of the most trivial cases. Some were "maliciously burning down haycocks," "breaking panes of glass," and "spilling a barrel of tar." According to that Act, a man could be imprisoned for 18 months for any such offence as that, an offence which would be met in this country by a fine of 2*s*. 6*d*. or 48 hours' imprisonment. He was quite sure that the right hon. and learned Gentleman would not give such a punishment for so trivial an offence; but they must take the right hon. and learned Gentleman at his worst, and not at his best, where the liberty of a people was concerned, and must have regard to the persons by whom the law would be administered. The right hon. and learned Gentleman said that he could not consent to confine the operation of the Act to agrarian offences. But was it not to meet those that the Bill was introduced? Was it not the case that agrarian offences were so different from ordinary ones that they could not get witnesses nor juries to try them; and that if they could get juries, they could not obtain a conviction? The fact was, that whereas ordinary non-agrarian offences showed a considerable proportion of convictions to offences, agrarian offences showed a considerable disproportion. Then why not exclude those offences on which they could already obtain convictions? The right hon. Gentleman made one observation which, if made earlier, would, he thought, have thrown a good deal of light upon the Bill. He said that a certain organization was extending its operations from agrarian to non-agrarian crime. He challenged the right hon. Gentleman to prove that. A great deal of what was termed agrarian crime in the Returns was not so at all. It was due to the deficiency of employment, especially in Galway and Mayo; but it was not true to say that crime was extending from agrarian to non-agrarian offences. He had an Amendment on the Paper, to which he would refer the right hon. and learned Gentleman. If the present one were not accepted, perhaps the right hon. and learned Gentleman the Attorney General for Ireland might be able to see his way to accepting his (Mr. T. P. O'Connor's) Amendment, which referred specially to the offences of attacking houses and firing into dwellings. He hoped, however, that the right hon. and learned Gentleman would be able to accept the present Amendment, as it was more comprehensive.

Mr. O'DONNELL said, he had listened to the observations of the Attorney General for Ireland, and it seemed to him that the right hon. and learned Gentleman's position to-day contradicted that which he had assumed on almost every previous stage of the Bill. If any conclusion was to be drawn from the right hon. and learned Gentleman's argument, it was that the measure the Committee were asked to pass was intended to apply not merely to agrarian crime, but to every offence—that it was, in fact, to be a substitute for the entire

Criminal Law of the country. The right hon. and learned Gentleman expressly objected to drawing any distinction between agrarian murder and non-agrarian murder, and asked the House, in contradiction to all the statements made by the Government on every previous stage of the Bill, to believe that Irish juries drew no distinction between them, and that the ruffian who killed his wife, or the highway robber who added murder to robbery, would enjoy all the popular sympathy that was alleged to surround the assassin of an evicting landlord or agent. If any such monstrous statement had been made in support of the measure in the first instance, he did not believe that even the Liberal Party would have consented to the first reading. They had been told again and again on every side that there was the broadest possible distinction to be drawn between agrarian and non-agrarian murder; and the Prime Minister, the Chief Secretary, and the Chancellor of the Duchy of Lancaster had devoted their eloquence to the construction of special panegyrics and eulogies on the Irish people for that the process of the law in Ireland was infallible when non-agrarian crime was in question. For such a thing as non-agrarian murder, theft, or assault to pass without punishment was a thing incompatible with the very nature of the Irish peasantry; and it was only in the deplorable instance of agrarianism that there was any uncertainty about the punishment of an offender. The Attorney General for Ireland threw overboard all the most solemn assertions of his Chiefs, upon which they had obtained the consent of the House to the Bill so far as it had gone; and if there was any foundation for the extraordinary statement of the right hon. Gentleman, the measure would be a monstrous injustice to the mass of the people of Ireland, not merely from the point of view of public liberty, but from the point of view of the execution of the law. Instead of non-agrarian crime being punished by the Criminal Law, and severe imprisonment, or penal servitude, or the death penalty being awarded to offenders, it was to be punished by 18 months' imprisonment, the culprits being fed on good diet, and being treated as persons awaiting their trial. Such a thing as this would be a premium on the commission of serious crimes, while persons suspected of lesser offences—owing to their liability to arrest without its being necessary to declare the nature of their offending—would be treated with extreme and undue severity. If the Attorney General for Ireland had stood up only to speak against time, being utterly regardless of what sort of argument he trotted out before the Committee, he could not have proceeded in a better manner; but if he had intended to defend the Bill, or to argue against the proposed Amendment, he could not have made a more feeble or self-contradictory speech. He agreed with the right hon. and learned Gentleman that direct and express incitement to crime should be dealt with on the same level as serious crime; but the point was only trifling, as words to that effect could be retained in the Bill without detracting from the utility of the Amendment, as pointing out crimes of a specific nature. The right hon. and learned Gentleman seemed to be determined to show how, within a certain space of time, he could crowd the largest possible amount of fallacies in opposition to the Irish Party in the House. He had told them that the agrarian organization was extending to non-agrarian cases; and if this were true, it would destroy the whole *raison d'être* of that organization. Its popularity was owing to the fact that its sole object was to enable the people to prevent a certain class of persons from injuring their property; but, as a matter of fact, the more the right hon. and learned Gentleman proceeded in this matter the more hopelessly he became involved in the quagmire in which he asked the Committee to embark along with him. He did not bring forward a single proof in support of his contention that the Land League was now becoming a League for defrauding everybody—the farmers, it was to be presumed, included—but, in default of proof, he threw the whole blame on human nature, for he said that it was the nature of great organizations, when once they felt their power, to extend their operations to everything. On the strength of this argument, then, the Government might as well extend their Bill to every organization in the United Kingdom, because it was only in human nature that they should travel outside their proper sphere. If no more serious arguments could be brought against the

Amendment than those advanced by the Attorney General for Ireland, the Committee would surely go some length in the direction of supporting the proposal. The Amendment could be rendered perfect by including amongst agrarian offences not only murder, but direct incitement to the commission of murder. In this form it ought to be acceptable to the Government, for it would arm them with all the power they required for putting down agrarian crime. The position taken up by the Irish Attorney General was really a *reductio ad absurdum*, such as had never before been seen, not only in this House, but in the pages of the Irish comic Press; and the right hon. Gentleman had cast ridicule on the case of his Chiefs and Leaders, by giving his authority to one of the most monstrous and indefensible propositions ever submitted to any Parliament or meeting.

Mr. ARTHUR O'CONNOR thought that if the Bill were carried as now drafted it would confer the most arbitrary power on those who had to administer the law. It would be impossible to frame any clause more indefinite in its scope, more far-reaching, and more calculated to give a perfectly irresponsible and despotic power to the Government; for the provision, as it stood, would enable them to arrest any person against whom they might choose to entertain what they might call "reasonable suspicion" of his having been directly or indirectly concerned in anything that might go to disturb the maintenance of law and order. Anyone engaged in a mere wrangle—a couple of fish-women on a Dublin quay, for instance—might be arrested under the Act, because they would be guilty of that which tended to disturb law and order. The Amendment of the hon. Member for Roscommon (Dr. Commins) was clear and explicit, and covered all the ground which they could be reasonably asked to allow the Government to cover with these exceptional powers. Parliament had legislated against intimidation in England; but the present measure was very different to English Acts—that dealing with trades' unions, for instance. In the "Conspiracy and Protection of Property Act," it was provided that whoever should be guilty of certain conduct for the purpose of compelling another person to abstain from doing or to do any lawful act should be punished. This conduct was described most carefully, and consisted of wrongfully or without authority using violence to or intimidating a person, his wife, or children, injuring his property, persistently following him about, hiding his tools, depriving him of them or hindering him in their use, watching or besetting the house or any other place in which he resided or carried on his business or happened to be, following him in a disorderly manner in or through any road or street. They would see how careful Parliament had been to provide safeguards to limit the power of those in authority to interfere with the liberty of the subject in England, in order not to injure the objects of trades' unions or leagues who sought to reason or expostulate with others, but did not go the length of intimidating. Persons who went to the house of an individual, or to the place where he worked or carried on his business, or happened to be near to the approach to such house or place in order to obtain information should not, according to the Act in question, be watching or besetting within the meaning of the section. Had the Government been as careful to guard the liberty of the subject in Ireland in this Bill, as a previous Government had been to guard the liberty of the subject in Ireland? No; and the Government were asking for the fullest and most indefinite powers under an Act which was to be interpreted by the Irish magistracy, the Irish police, and the Irish Establishment in Dublin Castle. The Act would put power into the hands of a body of landlords, who were now waiting to wreak their vengeance on their quondam serfs. Church-made law had been characterized as most objectionable, and this Dublin Castle-made law would be even more so—it would not be worth the name of law at all. It would be sacrificing the liberties of the people to the very class of men who had always treated them as serfs.

Mr. METGE said, the Government had let the cat out of the bag, when he told them the Bill was not only directed against agrarian crime, but ordinary crime. For a long time he (Mr. Metge) had suspected this. Panegyrics had been uttered on the purity and virtue of the Irish people in everything but those matters which affected the landlord; and it must be borne in mind that the landlords were the class who had to administer the law, and that the first use they would make of this Bill would be to protect themselves. He looked upon the Amendment as of great importance, not so much as regarded the scheduling of the crimes, but because the words—

> "Inciting to an act of violence or intimidation and tending to interfere with or disturb the maintenance of law and order"—

covered every possible phase of the land movement now going on in Ireland. If these words stood as they were, no one, in face of such a penalty, would dare to say a word in favour of the movement, and no one would endeavour to moderate those who identified themselves with the movement, because a person speaking on a Land League platform, however peaceful and law-abiding he might be, might have attributed to him words used by someone else, and so be brought within the category of "reasonably suspected." The right hon. and learned Gentleman, in his contradictory speech, had stated that the Bill was not directed against the Land League; but he had gone on to say that crime had always dogged the steps of the organization. If that could be proved, why did not the Government strike boldly at the Land League, instead of endeavouring to get at it covertly by such a clause as this? If the Bill passed in its entirety, it seemed to him that public meetings were at an end in Ireland. Agitation must cease. No man would dare to stand up on a platform to support, in the most moderate manner, the principles he might have been sent to the House of Commons to advance. If such a law as this had been in force in Scotland last year, the present Ministry would not be sitting on the Treasury Bench, for every word uttered by them might have been taken as an incitement to an act of violence or intimidation.

The Chairman: I must point out to the hon. Member that two Amendments after this we come to that which deals with "inciting to violence;" therefore, the point cannot be discussed now.

Mr. Metge said, he would bow to the ruling of the Chair; but, as he understood the present Amendment, it was to leave out all the words from "of" to "order."

The Chairman: If I put that, I should shut out all the hon. Members who have Amendments to those words.

Mr. Metge said, if there had been any hon. Members present—and there hardly ever were when Irish questions were under discussion—he should have appealed to them to support his view of the question.

Mr. Daly regretted that the speech of the Attorney General for Ireland was not delivered at an earlier period, for he had stated that it would be necessary under the Bill to punish crimes other than agrarian. Did the right hon. and learned Gentleman know that that meant that a person in Ireland reasonably suspected of a murder would be cast into prison for 18 months without any opportunity of bringing forward his witnesses? According to the newspapers, a young officer had recently been found dead at Chatham, and the circumstances were such that it was probable he had met his death at the hands of a murderer. A revolver was found, with five chambers loaded and one empty; but the weapon was picked up such a distance from the body as hardly to justify the theory of suicide. The people in the house about the time the sad affair happened were Sergeant Gallagher, who had come to take in a uniform, and several female servants; and, without for a moment suggesting that any of these were guilty of murder, he would put it that they might be reasonably suspected. These people, then, if such a Bill as this were in force in England, might be arrested and cast into prison for 18 months without trial or opportunity of bringing forward witnesses to prove their innocence. He had no faith in Parliamentary agitation. Since he had been in the House of Commons, he had lost his faith in it; but he could not help thinking enough of the common sense and common honesty of hon. Members above and below the Gangway on the Ministerial side to believe that if the ideas of the Attorney General for Ireland on this question had been earlier promulgated, they would have shrunk from that blind obedience with which they followed the Government into the Lobby. The principle of the Amendment was undeniably fair, as it pointed out the offences which a man might not commit, or which, having committed after a certain period, he would know he could be arrested for.

These controlling words would be found beneficial; but if they were to have the Act carried out under the direction of the Attorney General, it would be better to end further controversy by inserting an Amendment to say that anyone who committed any act whatever could be arrested.

Mr. FINIGAN thought that if the Amendment moved by the hon. and learned Member for Roscommon (Dr. Commins), and the schedule of crimes which he had placed on the Paper, were fairly looked into, the Committee would see that Her Majesty's Government had a good opportunity afforded to them for showing that they were not animated by a feeling of Dictatorship or by the feeling of alarm which had been excited in England by their own announcement of crimes and outrages, and Fenian and other plots. It was a legal fiction that every man ought to know the law. Most men did know the ordinary law, although, perhaps, not from a legal point of view. They knew that certain crimes and immoral acts were prohibited by the law—that it was not right to murder a man, or to steal his property, or to intimidate him. But when, as was now the case, they were introducing a peculiar coercive law into Ireland which might be used in a despotic manner, it was only fair that they should define what were the acts beyond the ordinary Statute Law for which a man was made punishable. He thought this schedule of crime really covered everything that the Government and their supporters could desire to discountenance in Ireland. The schedule included any agrarian offence being murder. They all knew that if any man was arrested on reasonable suspicion for murder, that even after 18 months' detention he would be indicted, and a specific charge and evidence adduced against him. The same might be said of manslaughter, firing at the person, aggravated assaults, assaults endangering life, &c. He had not had the happiness of attending many Land League meetings in Ireland; but when this Bill had been passed he proposed to go over there for the purpose of agitating in a thoroughly Constitutional manner. He should certainly ask the people of Ireland to continue their Land League organization; but, at the same time, he had no wish or desire to incite anyone to the commission of crime, or even to any act that would interfere with or disturb the maintenance of law and order. Probably he would only repeat some of the leading principles enunciated by the Prime Minister and the Chancellor of the Duchy of Lancaster; but how was he to know whether, in repeating their strong Constitutional arguments, he might not be arrested and taken to prison on the suspicion of inciting to treasonable practices? The suspicion might emanate from a police-constable, or any other person, and on information sent to the authorities at Dublin Castle, who would know nothing of him except as an opponent——

The CHAIRMAN: I think the hon. Member was not in the House when I explained that the Amendment only goes down to the words "act of violence" as they stand in the clause. It is not, therefore, in Order to discuss that part of the clause which will come before the Committee subsequently.

Mr. FINIGAN said, he was not in the House when the Chairman conveyed that intimation.

Mr. ARTHUR O'CONNOR asked, whether a Question having once been put from the Chair, it could be altered without the consent of the House?

The CHAIRMAN: The hon. Member cannot have observed that, in order to protect subsequent Amendments, I only put from the Chair a certain number of words. This is a constant practice.

Mr. FINIGAN said, he was deprecating the arrest of a man for treasonable practices, and was asking for a definition of such treasonable practices as would be held to be inciting to acts of violence or intimidation. He had no ambition whatever to become a martyr in an Irish prison for 18 months; but as long as he believed he was advocating Constitutional principles, it was only fair that he should know the exact nature of the crime for which he would be liable to be taken into custody. He maintained that the Government, by the ordinary Statute Law, could preserve peace and order in Ireland without resorting to coercion at all; and if they would adopt the Amendment of the hon. Member for Roscommon, they would do something, although he admitted it was but very little, to assuage the bitterness of feeling which the Bill was certain to create throughout Ireland. At present they were proposing to give to the Irish people too much law and too little justice.

MR. BIGGAR said, he had listened with great attention to the remarks of the Attorney General for Ireland, and the impression produced upon him by that speech was that Her Majesty's Government, in regard to this measure, were very much in the habit of shifting their ground from time to time. When the Chief Secretary introduced the Bill, the right hon. Gentleman based its necessity very much upon a list of agrarian crimes which he had prepared, and if it was not intended to deal with that class of offences, there was no necessity for the Bill at all. It had been stated over and over again that the total amount of crime in Ireland was exceedingly small, and crimes which were not of an agrarian character were not only very few indeed, but there was no difficulty in prosecuting the persons who committed them, and in obtaining a conviction. The whole weight of the case raised by the Government was that there existed in Ireland a sort of crime which, though not serious in the aggregate, was exceptional, and from its exceptional nature it was desirable to introduce and carry into effect a stringent and exceptional law. The learned Attorney General for Ireland said that owing to the proceedings of an organization, which he did not name, but which they were acquainted with, crimes of an agrarian character had latterly become prevalent, and had spread rapidly all over the country. But that was quite contrary to the information supplied by the statistics, because it appeared that instead of agrarian crimes increasing they were, at present, greatly falling off in number. One of the points of the Government case was the number of threatening letters that were sent. Now, a great number of these threatening letters were mere practical jokes, and it was at all times a difficult thing to prove handwriting. An instance of this occurred to himself only a few days ago at the Post Office in the Lobby of the House. The postmaster there had seen his (Mr. Biggar's) writing many times, and the other day that gentleman handed to him a letter, which was not fully addressed, and asked him if it was not in his handwriting. It seemed to him to be in his own handwriting, and he, therefore, opened it, when he found that it was a letter written by his hon. Friend who had moved the present Amendment. He mentioned this circumstance simply to show that where a question of handwriting was involved the evidence was most uncertain, and it was almost impossible to get positive proof. He, therefore, thought the Government ought not to insist on asking for extraordinary powers in regard to the sending of threatening letters. If there was a real *bonâ fide* suspicion that a man had committed an offence, it might be justifiable to ask for extraordinary powers; but it was going too far to ask for such powers under a mere suspicion that a man might have done something that was, under ordinary circumstances, perfectly incapable of proof.

MR. CALLAN remarked, that the Attorney General for Ireland had objected to the phraseology of the Amendment on the ground that it was far-fetched. The Amendment certainly excepted threatening letters from coming under the purview of the Bill. The Attorney General for Ireland possessed a thorough knowledge of the English language, and was acquainted with the use of the disjunctive conjunction, particularly as it was used in a Dublin lease, which was a splendidly-drawn evasion of the Land Act. He (Mr. Callan) did not think that a man should be liable to 18 months' imprisonment without trial on the mere suspicion of having sent a threatening letter. The detection of handwriting was a matter upon which there was the greatest diversity of opinion, even among experts. The man was a coward who would send a threatening letter. He had himself received threatening letters, even in that House; but was he, on a mere suspicion conveyed to a detective, as to the writer, to have a particular man arrested? He only wished in some cases that he could discover the writer, not in order to denounce him to a detective, but that he might inflict summary punishment upon him for his cowardly act. The Amendment of the hon. Member for Roscommon had been verbally criticized; but no substantial objection had been raised to the real gist of the Amendment. Her Majesty's Government were, of course, enamoured of their own handiwork; but, as far as he was concerned, he would infinitely prefer the proposal of the hon. Member for Roscommon.

Question put.

The Committee *divided*:—Ayes 113; Noes 40: Majority 73.—(Div. List, No. 38.)

Mr. T. P. O'CONNOR, in rising to move, in page 1, line 10, after the word "violence," to insert the words "against the person," said, the arguments in favour of his Amendment were very obvious, and, therefore, he trusted that it would meet with the acceptance of Her Majesty's Government. As the words which he sought to introduce implied, his object was to limit the operation of the Act to deeds of violence against the person. He did not think, although, of course, the protection of property was a most essential point, that the right hon. Gentleman would consider acts committed against that were alone sufficient to justify him in bringing in a Bill to abridge the liberties of the Irish people. If the right hon. Gentleman would give him some encouragement that he would be met halfway, he would be disposed to add to the clause two or three of the most serious offences against property. Still, he wished the Bill to simply be a protection against violence to the person. The right hon. Gentleman knew that a serious offence against property was easily traced, and that the offender, as a rule, received very little sympathy from others. Therefore, he thought that exceptional legislation in such cases was quite unnecessary. One reason for thinking that the Amendment was very necessary was that there was already an idea prevalent in Ireland that the object of the Bill was to leave one class of property there unprotected for the purpose of protecting another class.

Amendment proposed,

In page 1, line 10, after the word "violence," to insert the words "against the person."—(*Mr. T. P. O'Connor.*)

Question proposed, "That those words be there inserted."

Mr. A. M. SULLIVAN urged the necessity, in an Act so severe as this, that there should be no possible ground of misconception of the meaning of the Legislature in passing it. His hon. Friend's object in proposing the Amendment before the Committee was that the operation of the Bill might be confined to acts of violence against the person. Now, an act of violence against property under the lose phraseology of the Bill would be the breaking of a pane of glass such as was mentioned in the Blue Book, and the throwing of the pebble which broke the glass would be an act of violence also. Was it, he asked, contended that the House of Commons should waste 15 minutes in dividing upon the question whether the Government meant or did not mean that breaking windows, or some act against the person, should remain the object of the Bill? If Her Majesty's Government would pass an Act of this kind confessedly outside every Act of Parliament in existence, it was the duty of the Representatives of the people against whom it was directed to take care that the phraseology should be precise, clear, and plain; and inasmuch as this Bill did not take the ordinary statutes for models or precedents, so they would not be content unless they had something in the shape of a safeguard to limit or define its application. He was aware that Her Majesty's Government classified as an outrage the breaking of a pane of glass in the widow Mulligan's cabin, and he would like to know what he would classify as an act of violence when the Bill was put in force? Let Her Majesty's Government say what they meant by an act of violence. If they meant what their supporters thought they meant, all he wanted was to put words in the Bill which would pin them to that meaning. But it was clear they did not want to be pinned by any words at all. There was scarcely a phrase in the Bill that was not vague, loose, dangerous, and tyrannical, and inserted in order, under its powers, to give even wider scope to magisterial and police application of it than would appear on the face of the Bill. He would not go again into the whistling case; but it was well known what magistrates and policemen would do in the way of suspecting an act of violence. Her Majesty's Government, having refused to limit the Bill by any statute now in force, he and his hon. Friends were bound to pursue their efforts upon every line and dangerous phrase which it contained, in order to provide their people at home with something like protection against its unjust application. Supposing, even, that the previous Amendment had been conceded, he feared it would be of little use, because no one could tell whether the Lord Lieutenant would be bound by those limitations in its application. Hon. Members would never be told on what grounds any man was arrested under this Bill. The responsibility, therefore, of the Chief Secretary and the Lord Lieutenant was unreal, and Parliament would never know in what way the extraordinary powers it was now asked to vest in those Officials were used. Of course, a Bill might be passed in this way—"Resolved that the Lord Lieutenant may do as he likes." And it would, in this case, amount to the same thing, for no one would be allowed to know how the Bill had been applied—whether to acts of violence against the person or against property. If anyone asked the Chief Secretary, next Session, whether it was for an act of violence against property or against the person, that, say Johnson, had been arrested in 1881, the reply would be that he could not disclose the facts. He would like to be shown a case in which, during the last 20 years, out of the hundreds of persons arrested in Ireland under the suspension of the Habeas Corpus Act, the Government had even disclosed the charge against the suspected person. He would only add, in conclusion, that this was a measure which out-Bombaed King Bomba and out-Heroded the Czar of Russia in the despotism which it would enforce in Ireland.

MR. W. E. FORSTER said, it would seem that the hon. and learned Member for Meath (Mr. A. M. Sullivan) believed himself to be discussing a previous part of the clause, because in the portion of the Bill before the Committee the limitation for which he contended existed, and the crime was described as punishable by law. It was, therefore, difficult to understand why the hon. and learned Gentleman had taken so much trouble in this matter, seeing that he had expressed his opinion that it would all be thrown away. The limitation sought to be introduced was one which the Government could not possibly accept. For his part, he should certainly regret that the House should accept this Amendment and limit the operation of the Bill to violence against the person, and to two or three offences against property which were very bad in themselves. He thought he had shown, in his opening statement, that the dread of these offences against property was one of the most effective means in Ireland of intimidation, and of putting in force the unwritten law of the Land League in place of the law of the land. For that reason, Her Majesty's Government considered, if it was an offence at all, they should have it in their power to prevent people from intimidating persons in that manner. Of course, hon. Members who thought the Lord Lieutenant would allow any person to be arrested for breaking a pane of glass, and who voted against the second reading of the Bill, would also vote against the third reading; but Her Majesty's Government believed that the Lord Lieutenant would cause to be arrested such persons as it was necessary to arrest for the peace of the country. He had over and over again stated, in contradiction of what had been so frequently urged, that it was not the police or the magistrates in Ireland who would put this Act in force, and he did not think there was any use in doing so again. He might, however, repeat that its provisions would be put in force, not by the magistrates or the police, but by the Lord Lieutenant and himself, assisted by their responsible Advisers.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

MR. HEALY said, the right hon. Gentleman the Chief Secretary had referred to what had been done when the noble Lord the Secretary of State for India was at the Irish Office; but he scarcely thought the right hon. Gentleman knew what was done at that time, and that if he wanted to re-assure Irish Members he should not refer to what had happened when his right hon. Friend ruled their country. What had happened then? An unfortunate man, against whom no charge was brought, and by whom no crime was committed, was kept in prison for two years, and he was only released when an hon. Member (Mr. Roebuck) drew attention to the case, and expressed his indignation that a man, who had never known what his crime was, should have been kept in prison in that way. Unless a limitation such as that proposed was admitted there would be further cases of that kind, and so history would repeat itself in Ireland; and he thought when the right hon. Gentleman referred to what was done during the rule of his right hon. Friend he should make himself better acquainted with the facts. The Chief Secretary had stated that it was not the police and the magistrates who would have to carry out the Act. Of course, they knew it was not the policeman who would sign the *lettre de cachet* which would send a man to prison; but it was the police who would give the magistrate information upon which he would act, and that was the chief reason why they opposed the clause. How did they know what would be an act of violence in the magistrate's opinion? He had brought forward a case of a magistrate who had expressed his hope that the people of Ireland would soon get powder and ball. That he considered a distinct act of violence, but the Chief Secretary did not remove him for that great act of violence; and if the Chief Secretary took that view of what was not an act of violence when committed by one of his own friends, it was hard to say what would be an act of violence when committed by some unfortunate Land Leaguer. He could not understand what was the objection of the Chief Secretary to the proposed Amendment; but it seemed to him that the right hon. Gentleman, having stated that he would not consent to any verbal alteration of the Bill until the third reading, had forgotten that there was a Standing Order against any such proceeding at that stage. The result would be that Radical Members who had voted on the second reading, on the understanding that Amendments would be made at a subsequent stage, would be disappointed, and they would find that the object of the Chief Secretary was to get the Report stage of the Bill passed over. It was quite competent for the Government to carry on proceedings of that kind; but he submitted that it was unusual, and that in endeavouring to get the Report stage passed over, the Government were acting on false pretences.

The CHAIRMAN: The hon. Member is not keeping to the Question before the Committee.

Mr. HEALY said, the Question was, whether the words "personal violence" should be inserted in the clause, and he was endeavouring to show the desirability of inserting those words. If the clause was only to apply to violence against property, he would ask the Committee to consider how wide an area would be covered; and referring to the case of a telegraph wire having been cut, as an instance of an injury to personal property, he said he supposed that the unfortunate man who was suspected by the police of that act would find himself sent for 18 months to Mountjoy Prison. That act might have been done by a schoolboy; but if they did not get the proposed words introduced into the clause, the man who was suspected of having amused himself by cutting telegraph wires would be treated as having committed an agrarian crime. With regard to the view which the Executive in Dublin Castle would take of this question of violence, it was all suspicion. They simply would suspect a man of committing an alleged act of violence against property, and then they would get him imprisoned. The Solicitor General for Ireland had given an instance of a man who died at the Cork Infirmary, who was alleged to have had on his person marks of gunshot wounds, and the hon. and learned Gentleman had assumed those to be reasonable grounds for suspicion.

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson): I think I said that he was supposed to be one of the persons whom the constable shot at.

Mr. HEALY, continuing, said, that was one of the men suspected, and if he had survived he would, no doubt, have got 18 months' imprisonment; but the doctor of the Infirmary, who was a personal friend of his, had written to him, and stated that this man had no gunshot wounds upon him whatever.

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson): The man who had no gunshot wound could not have been the man I referred to.

Mr. HEALY thought that if the hon. and learned Gentleman had a correction to make he had better reserve his correction till the conclusion of his (Mr. Healy's) observations. The case he referred to was the one which the hon. and learned Gentleman had mentioned; and it was in reference to that case that the doctor of the Infirmary had written to say that the Solicitor General was entirely wrong. He would not say it was a good job that the man had died; but, at any rate, his death had saved him from some inconvenience. And that was an instance of the reasonable suspicion upon which the Government intended to act. They refused to insert anything limiting the Bill, and would act upon such evidence as they got from their own people. He pitied the man whom the Solicitor General might suspect, for he would be in the position of the man at the Cork Infirmary. He pressed the Government to accept the proposed Amendment; and he expressed his readiness to give to the Solicitor General, privately, the letter he had received from the doctor, and some other letters bearing upon the case referred to.

Mr. FINIGAN said, that after the gracious speech of the Chief Secretary he felt, as the Act was to be carried out under the personal superintendence of the Chief Secretary and the Lord Lieutenant, that the Act would be fairly carried out; and he was glad to know that one of his hon. Colleagues would move an Amendment putting that principle into actual words. But he would just mention an instance of violence against property which recently happened in the county with which he was connected, and which, he believed, was to be placed in the category of agrarian outrages. There was a landlord, who also happened to be, as was often the case in Ireland, a magistrate. He had an idea that he ought to be a duke, and that he was descended from a great ancient French family. He also believed that he had some right to the protection of a foreign Government. He had lately stated that on account of his magisterial position, and on account of his opposition to the Land League, he had been assaulted by threatening letters and by some papers which nobody could understand, and which were supposed to be the emanation of his own hand and brain. He also complained that a stone had been thrown through his window; but he had been unable to prove that. And some of his own domestics had said that, labouring under some delusion, that gentleman went into his own garden and threw a stone into his own house. He (Mr. Finigan) believed that the people in the neighbourhood regarded that gentleman as a decent and harmless man, and would do him no wrong whatever. But supposing that magistrate, after the promise of the Chief Secretary, chose to send up to Dublin Castle a confirmation or a complaint against any particular Land Leaguer, and so get him imprisoned for 18 months, what remedy, in law or justice, would that man have? As the Chief Secretary had said that he would personally see the Act carried out, with the aid of the Lord Lieutenant, there was not much more need to go into the Amendments; but he hoped that the right hon. Gentleman would consent to introduce, in actual words, the promise that he had made.

Mr. LALOR reminded the Committee, that, under the existing law, any act of violence to property in Ireland, by fire or in any other way, had to be paid for by the tenant farmers of the district; and it was impossible to believe that the tenant farmers could be so stupid as to be guilty of acts of violence, knowing that within a few weeks they would have to pay for them. He, therefore, urged the Government to bear in mind that the property of the landlord was fully protected under the existing law.

Mr. GILL thought, that as the Bill under consideration was for exceptional legislation, the Government ought to yield the very small concession asked for in the proposed Amendment—namely, that the crimes which were to come under the operation of the Act should be only crimes against the person, for it was very hard for a man to be sent to prison, not for committing a crime, but on the suspicion of committing a crime. Some of the crimes set forth in the Returns were of a very ridiculous nature. For instance, there was a case of someone having cut three inches of hair off a heifer's tail, and another of someone cutting the ear off a donkey. Such cases ought to be dealt with by the ordinary law, without an exceptional Act of Parliament. If a man taken before a magistrate or a jury was convicted, he should be punished; but it was much too bad that a man should be liable to 18 months' imprisonment, simply through some policeman sending word to Dublin Castle that he was suspected of cutting a few inches of hair off a cow's tail. He was convinced that it would be impossible for the

Chief Secretary and the Lord Lieutenant to examine every case, and that if some such concession as that suggested was not made in the wording of the Bill, very many men who were perfectly innocent would be put into prison on the mere suspicion of some petty offence.

Question put.

The Committee *divided*:—Ayes 42; Noes 128: Majority 86.—(Div. List, No. 39.)

MR. M'COAN, in rising to move, in page 1, line 10, to leave out all the words from "or," to "order," in line 12, both inclusive, said, he moved the Amendment not with much hope of his suggestion being accepted by the right hon. Gentleman the Chief Secretary, but rather to elicit from him, once for all, a definition of offences included within those lines, which might have weight and authority in time to come.

MR. HERMON rose to Order. Had not the Amendment now proposed been moved already?

THE CHAIRMAN: It does not appear to me that the same Amendment has been already moved.

MR. M'COAN said, he proposed to omit certain words in the clause—namely,

"Or inciting to an act of violence or intimidation, and tending to interfere with or disturb the maintenance of law and order."

He did not think that there could be any form of words more vague and elastic than those he had just read. In a previous speech of the Prime Minister he had assured the House that that Act would not be used to curtail the right of argument. When he compared those words with the present clause, he confessed he regarded the terms of the clause with some anxiety. He should, therefore, like to elicit from the Chief Secretary a definition of what he regarded as an incitement to an act of violence tending to interfere with the maintenance of law and order. An ordinary reader of those words would certainly think that they included that which the Prime Minister said the Irish tenant farmers would be free to practise—namely, to advise another not to pay more than a certain rent. Would it be illegal to attend a meeting of the Land League and say that the tenants should not pay more than Griffith's valuation? Such advice as that would clearly be an incitement to interfere and disturb the maintenance of law, for it would mean a breach of contract. He should be glad to hear the opinion of the right hon. Gentleman the Chief Secretary upon the point.

Amendment proposed,

In page 1, line 10, to leave out all the words from "or," to "order," in line 12, both inclusive.—(*Mr. M'Coan.*)

MR. W. E. FORSTER: The hon. Member has asked me whether, if he were to attend a meeting and advise the people not to pay more than Griffith's valuation, that would be covered by this clause? I do not think it would. I do not think that he would have committed an act of violence or intimidation, or would have incited to such an act. There seems to be a most extraordinary forgetfulness among hon. Members this evening. There is a difference between "and" and "or." There must be an act of violence or intimidation, or the inciting to such an act, and tending to disturb, &c., not or tending to. Consequently, it is considerably limited. He could not accept the Amendment of the hon. Member.

MR. BIGGAR wished to ask, as a point of Order, whether it was competent to the hon. Member to put that Amendment? There were several other Amendments which referred to the same lines, and he did not see how they were to be considered in the event of the present one being accepted.

THE CHAIRMAN: When the hon. Member brought me his Amendment I pointed that out to him, and he stated that he had conferred with his hon. Friends, and they quite understood that.

MR. M'COAN said, the Chairman must have misunderstood him. He only referred to the Amendment of the hon. Member for New Ross (Mr. Redmond). ["Order!"]

MR. A. M. SULLIVAN said, he was not quite sure whether he rightly understood the right hon. Gentleman the Chief Secretary when he called attention to the fact that there was a great distinction between "and" and "or." The clause stated that the act committed must be an act of violence or intimidation, or inciting to such an act, and tending to interfere with or disturb the maintenance of law and order. Did the right hon. Gentleman mean to say that acts of violence or intimidation not tending to disturb law and order might be committed? What was the object of those words? Were they words of limitation or of extent? Either they were necessary or unnecessary. If necessary, were they so in order to qualify the fact that acts of violence or intimidation might be committed? If unnecessary, why should they remain in the clause? He thought that the Irish Members had a solid reason for being alarmed at those words. He had no wish to make any insinuation; but he would submit to the Treasury Bench a meaning which it was quite possible to put upon the clause, although it might be foreign to the minds of right hon. Gentlemen—namely, that a certain class of acts of violence or intimidation might be practised by the landlords, and that the Government wished to avoid interfering with those acts. If that were not so, why not remove the qualifying words? In the case of a recent prosecution for intimidation in County Bantry, it came out in the evidence that the Land Leaguers who had visited a tenant had not intimidated him at all, but that he was greatly intimidated by the magistrate and sub-inspector of police, when they came to take down his information. All classes should be treated alike under the Bill, and, in order to effect that object, he should desire to see the qualifying words struck out of the clause.

MR. REDMOND said, that as he understood that he could not put his Amendment, he desired to state his reasons why he put it upon the Paper.

THE CHAIRMAN: The hon. Gentleman can only speak on this Amendment.

MR. REDMOND said, that, at any rate, the present Amendment and his own were so much the same that he was precluded from bringing his forward. The right hon. Gentleman the Chief Secretary had said that, in his opinion, his hon. Friend the Member for Wicklow would not come under the operations of that Bill if he went to a public meeting and advised people not to pay more than a certain rent. But, in a case of that kind, it would not be the opinion of the right hon. Gentleman that would be taken, but that of the Law Officers of the Crown. The Law Officers had laid down plainly that such an act would be one of inciting to an act of violence or intimidation. That being so, he could not accept the statement of the right hon. Gentleman. Now if those words remained in the Bill, the House of Commons would practically be putting a stop to freedom of discussion, and preventing hon. Members of that House from going to their constituents and speaking freely and plainly to them. [*Cries of* "Divide!"] He could assure the Committee that if he had consulted his own feelings in the matter, he would not stand up there to advocate any Amendment in the Bill. He felt that it was useless, for the Government seemed determined to make no concession, and that it would be the more dignified course for the Irish Members to withdraw from the discussion on the Bill. ["Hear, hear!"] Hon. Members might say "Hear, hear!" but they seemed to forget that that kind of cheer showed clearly how difficult a settlement of the Irish Question would be, as they absolutely declined to co-operate with the Representatives from Ireland. He had risen purely from a sense of duty to his constituents, and he would ask the right hon. Gentleman the Attorney General for Ireland to tell them whether his opinion upon the words referred to in the Amendment agreed with the statement of the right hon. Gentleman the Chief Secretary for Ireland.

MR. LEAMY was sorry that the right hon. Gentleman the Attorney General for Ireland did not respond to the invitation which was extended to him courteously enough by the hon. Gentleman who had just sat down. He knew that Irish Members were lately put upon their trial by the Solicitor General on a charge of conspiracy, simply because they had given that particular advice. If he were to advise 10 or 15 tenants not to pay more than Griffith's valuation, or not to pay any rent at all, and one of those tenants afterwards turned round and inflicted some injury upon some property, would he be held responsible for language which had incited to an act of violence? ["Hear, hear!" *from the Treasury Bench.*] Right hon. Gentlemen said "Hear, hear!" so they agreed that that would be an act of violence or intimidation. The mere fact of non-payment of rent was no criminal offence. Was it, then, a criminal offence to advise men to do what was not criminal? If not, they would be perfectly within the law. The advice to the tenant not to pay more than a certain rent would be advice to him to refrain from doing that which the law allowed him to refrain from doing. Could he, then, be put in gaol for doing that which the law allowed him to do? But that advice, which was given by certain Members of Parliament in common with others, laid the foundation of one of the counts of the indictment in a trial lately held in Dublin. He submitted that if that clause were passed in its present state, its scope would depend upon the opinion of the Law Officers of the Crown. If the Bill became law, it would be impossible to know what advice could be given to one's constituents. If perfectly legal advice were given, and any person who listened to it should do something unlawful, it appeared to him that the adviser would be liable. The right hon. Gentleman the Chief Secretary had stated that a person who gave advice would only be responsible for the natural consequences which flowed from that advice. He thought that, under those circumstances, an account of the difficulty which would exist as to those natural consequences, it would be almost impossible to give any advice at all. The right hon. Gentleman the Chief Secretary had given one legal opinion, and he now wanted the right hon. and learned Gentleman the Attorney General for Ireland to say whether, if Irish Members advised their constituents not to pay more than a certain rent, they would be held responsible for the consequences not directly resulting from that advice, and also whether they would be held guilty of a criminal offence if any act of violence could, in the opinion of the Law Officers, be traced directly or indirectly to the advice given, if the advice was in itself legal?

Mr. O'DONNELL said, he thought it almost unnecessary to press the Law Officers for an opinion, because they had understood that the Chief Secretary meant to act on his own responsibility in the matter. He did not appear to intend to attach any importance to the opinion of the Law Officers of the Crown. At the same time, there seemed to be no reason why the proposed Amendment should receive more attention than it had as yet received. In most cases the magistrates would rarely submit the cases. It might be that they as well as their supporters would think themselves justified under that Act in using a certain amount of intimidation, not so as to interfere with the maintenance of law and order but, as they might consider, to maintain it. He thought it would be well to draw that clause so as to include acts of intimidation concerning what they might term legal acts as well as those that were illegal. It was only too notorious that there was a wholesale legal intimidation in Ireland. Certainly, under that Bill, it would seem that the Government were of opinion that intimidation in support of law and order was quite proper. However, he thought that a clause of that sort might fairly be looked at from the point of view of the hon. Member for New Ross (Mr. Redmund), and it would only have been courteous had the right hon. and learned Gentleman the Attorney General for Ireland replied to him.

Mr. HEALY said, that it had been laid down that the advice could not be given to tenants with regard to the payment of rent. He had often given such advice, and he should do so again. It was a Law Officers' crime only, and, therefore, he had no scruples with regard to it. He had visited last winter a district in Cork—Adrigoole—where he was informed by the priest that the entire population of the parish, except about 20, were on the relief list as famine stricken. It was not only no crime for them not to pay rent, but it was their duty not to pay it. It was possible for these poor people to be reduced to a condition of famine again this spring. ["Question!"] Those who cried "Question!" could not have studied the Question, and he was happy to see that the Chairman did not agree with those hon. Members who considered that what he was saying was out of Order. The Irish Members told these poor people to break their "sacred contracts," and intended, when they returned to Ireland again, to advise them, if threatened with famine, to pay no rent. Not only did they think it right, but they considered it their duty to give this advice. It might be said that they would be "disturbing law and order." For the law and order that had existed in Ireland for the last few hundred years he had a great contempt, and he would have very little hesitation in doing a great deal to disturb the maintenance of that law and order. This was all he had to say on the question.

MR. FINIGAN wished the Government would altogether withdraw, or substitute some more definite phrase for, this "inciting to an act of violence," as it was a most difficult thing to say what was or what was not an "act of violence." Did the right hon. Gentleman mean an incitement within the ordinary law, or an incitement to an act of violence as it might be translated by a magistrate or a police-constable? A person might say the most Constitutional thing possible which might be translated by these authorities into an incitement to an act of violence. Really, the hon. Member for Waterford had raised a very serious question, and the Government ought to make some answer to it. If the Government were interested in the maintenance of law and order in Ireland, they ought to put in the measure some clause under which landlords would be prevented from evicting tenants who had not the means of paying their rent, and then they might justly introduce a provision to prevent one tenant coercing another, and thereby preventing him from obeying the law. What was sauce for the tenant ought to be sauce for the landlord, and he hoped the Government would see their way to bring in a Bill, not only against tenants, but also against landlords who——

THE CHAIRMAN: The hon. Member is travelling altogether outside the Question before the Committee.

MR. FINIGAN only wished to say, in conclusion, that he placed confidence in the declaration of the Chief Secretary that he would, personally, see that the Act was properly carried out.

MR. GRAY said, the question put to the Government by several hon. Members seemed to be a very simple one, and one to which they were entitled to an answer. Supposing Land League meetings were held in Ireland after the passing of the Act—meetings of a similar character to those of which hundreds were held during the autumn—and speakers gave the tenantry advice not to pay rent beyond Griffith's valuation, although at the same time strongly counselling abstention from acts of violence—supposing they told the people to offer only such passive resistance to the law as consisted in refusing to carry out a civil contract, would they be liable to arrest? It must be remembered that very eminent persons had declared these arrangements between landlord and tenant not to possess the essentials of contracts, as the two parties to them were not dealing on equal terms. Supposing in the future hon. Members gave the advice to the tenantry of Ireland that hundreds of men, who were not desirous of coming in contact with the law of the land, had given in the past, and that advice was followed, and a great many evictions occurred, and, in spite of their condemnation of all acts of violence, some crimes were committed, would the consequences of those crimes attach to such hon. Members? That was what he was anxious to get at. Were words in themselves innocent and outside the operation of the Act, because consequences ensued which were not fairly to be expected from the advice given at a meeting? If he himself were to attend a meeting, and say to the people—"I advise you, until a settlement of this question is brought about, not to pay rent above Griffith's valuation," or "I advise you, under existing circumstances, to pay no rent at all, but you must not in any way oppose the execution of the law;" and if a riot were subsequently to take place in consequence of evictions, would he be held responsible for such riot? Would his words be judged by themselves, or would they be judged in connection with the consequences which he had endeavoured to guard against? The Attorney General, no doubt, would be able to give him an answer which would leave him precisely as wise as he was before; but he thought the Irish Members were entitled to a straightforward answer for the reason that in a month or two cases in point would probably arise. He had been so confused by the speeches of the Prime Minister and the Chief Secretary, that he could not comprehend whether, in their minds, there was any intention to punish men who went on speaking at public meetings under this Act. He could see that the Act might easily be used for that purpose; and although, in some of their speeches, Ministers had stated that it would not be used for the purpose of arresting prominent members of the Land League, he gathered from the ready cheers with which some part of the observations of the hon. Member for Waterford was received that it would be used for that purpose. He wished to know how far the Act was to be used to put down public speaking in Ireland?

MR. W. E. FORSTER: I do not know that anything I could say would be more explicit than the words of the Bill itself, and I am quite sure that no one understands the words better than the hon. Member himself. He is perfectly well aware of the meaning of the words "inciting to an act of violence or intimidation."

MR. GRAY: And "tending to interfere with the maintenance of law and order."

MR. W. E. FORSTER: Yes; and "tending to interfere with the maintenance of law and order." The hon. Member puts a very difficult case, and I should advise him to keep well within the limits of the law. The hon. Gentleman put the case of giving some advice, and seemed to suppose that the result of giving that advice would be that the people would use force and intimidation. ["No, no!"] Well, he expressed himself as though that would be the natural result. I think it would, in that case, be very difficult to decide whether it was not inciting to an act of violence or intimidation.

MR. T. P. O'CONNOR said, this was a case on which they required a little more satisfaction from the Attorney General for Ireland, as it really touched the root of the whole Land agitation, and affected every word that was said on a Land League platform in Ireland. He was of opinion that, morally and legally, they had a perfect right to tell the tenants not to pay beyond a certain amount of rent. He did not know whether the Attorney General would agree with him as to his law; but he was quite certain as to the morality of such advice. Here was a case similar to that just put before the Committee. He attended a Land meeting, and found in the district in which it was held that, owing to a bad harvest, or a succession of bad harvests, the rents which at one time were reasonable, had become exorbitant. Well, he argued that by the Land Act of 1870 the tenants had become co-partners in the soil with the landlords; and, this being so, as in a commercial concern where no profits had been earned none could be divided. Although the capital would not be touched, the tenants were not bound to suffer all the loss—it must fall equally on both partners. He saw the Prime Minister shook his head, dissenting from this proposition; but, at any rate, he (Mr. O'Connor) wished to ask whether he was within his rights, or was going to be thrown into prison, for advising the tenantry not to pay rent or to pay only what was fair? If that was considered illegal advice, and would bring him within the Act, he had a perfect right to be warned. He dared say he should be obliged, not many days after this Act was passed, certainly within some period during its continuance, to address his constituents or some body of the Irish people on the Land Question. He wished to know what were the limits under which he would be addressing the people, as he did not wish to be sent to prison if he could well avoid it? As he did not wish to break the law, he wished to know what was the law? He would address this question to the Chancellor of the Duchy of Lancaster.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) drew the hon. Member's attention to the words "reasonable suspicion."

MR. T. P. O'CONNOR said, if the right hon. and learned Member would answer him on his legs in the ordinary manner he would be obliged to him. There were some Members on the opposite side of the House who had a conscientious objection to the payment of tithes; and supposing one of them went, during the existence of a Coercion Bill, and said to his co-religionists—"This tax is an immoral and unjust tax; it is contrary to your religious doctrines and moral feelings. As law-abiding subjects you are bound not to break the law; but you are bound, as moral men, not to actively assist it. Therefore, I call on you to give a passive resistance to the tax." Would such a man be imprisoned? He (Mr. O'Connor) gave the same advice on the Land Question. He did not wish his constituents to get into the hands of the police; but he said to them—"Your rent has become exorbitant owing to the state of the times; the law deprives you of your right of co-partnership in the soil which you have had for centuries, and which the Prime Minister has recognized, and you are therefore bound in morality not to assist in carrying out the law; don't resist evictions, but don't pay an unjust rent; don't buy or bid for land from which another person has been evicted, because thereby you become a participator in the immorality of the law." The Irish Members required something like a definite answer as to the legality of such advice, and really the statement of the Chief Secretary was no answer at all. The idea of telling hon. Members that they had better be careful not to go beyond the limits of the law! These jokes, no doubt, relieved the tedium of the right hon. Gentleman's duties, and the Committee, no doubt, welcomed the evidence of a new power and talent in the right hon. Gentleman; but this was really a serious business they were dealing with, and hon. Members wanted something besides such answers as these from a Member of the Government. It was evident from what the Chief Secretary had said, both with regard to this and several other Amendments, that he wished to have a large reserve power in this Bill. It was a very convenient thing in political controversy to have the means of stopping the tongue of an opponent by putting that opponent into prison. The right hon. Gentleman, he was sure, would shrink from anything like an unfair exercise of the provisions of the Bill; but it was a very convenient thing for him to know that if the hon. Member for Carlow, or any other Irish Member, became obstreperous, he could silence him by putting him in gaol.

MR. O'SHAUGHNESSY wished to add this view of the question to the views which had been already presented to the Committee. In respect of other Acts of Parliament, the subject had this security, that when they were to be enforced they went before the Courts of Law for interpretation. Under the Coercion Act the Irish people would be deprived of that security, because the provisions would not be construed by a Court of Law. There would be no appeal to a Court of Law. The Act would be carried out according to the will and pleasure of the right hon. Gentleman the Chief Secretary, and the only appeal they would have would be to the House of Commons, which they knew would not be an appeal under which it would be possible for them to discuss the construction of the Act. They were, therefore, entitled to have the Act construed here now, because the persons who would have to administer it were present, surrounded by their Law Officers. They were entitled to this all the more because the Act was one interfering with the highest rights of the people.

MR. BIGGAR was afraid, that if the Bill passed in its present form an *ex parte* statement to the effect that a person was afraid to pay rent, because, if he did, he might suffer some injury, might involve someone else in difficulties. The person who made such a statement clearly would have some interest in misleading the landlord. The Bill would proceed too far unless amended, as they would see on recollecting what had occurred at Cork a short time ago. Three friends of his—two of them hon. Members—were prosecuted for alleged intimidation, the prosecutor having in the first instance, in his *ex parte* statement before the magistrates, told them what they considered sufficient to justify them in sending these gentlemen for trial. When, however, the prosecutor was subjected to cross-examination, he was not able to substantiate the charge he had made. It appeared that the accused had only told him not to pay more than a certain amount of rent, and that they had never intimidated him. The words, as they appeared in the clause, were too vague, and under them a man could be imprisoned for advising a person to take too much drink, if the person who followed that advice got into a street row and broke the peace. The Government should accept the Amendment, because, otherwise, it would be impossible for anyone to live in Ireland without putting themselves in such a position that the Chief Secretary could "reasonably suspect" them of having broken the law or incited someone else to break it.

MR. GRAY here rose——

THE CHAIRMAN: The hon. Member has already spoken.

MR. GRAY: I intend to conclude with a Motion that is in Order.

THE CHAIRMAN: The hon. Member has already spoken.

MR. GRAY: I am about to move that you do report Progress, and ask leave to sit again.

THE CHAIRMAN: The hon. Member has not the power of making that Motion, having already spoken on the Question before the House.

MR. ARTHUR O'CONNOR said, it was useless for the Irish Members to offer arguments in support of any Amendments, as the Government were not open to reason, having made up their minds. The Government had behind them a plastic majority, who would outvote the Irish Members on every occasion. It was no use for them to move Amendments, and it appeared to him that there was a much better way for the people of Ireland to meet the Bill. The answer of the Irish people to the refusal of the Government to accept so reasonable an Amendment as the present should be an universal and immediate strike against the payment of all rent. That would be a direct and simple way of meeting the Government attack on the liberties of the people, and he hoped they would adopt it. The right hon. Gentleman told them that the magistrates and the police were not to administer the law in Ireland, and said—"You should have confidence in me and the Lord Lieutenant." Well, he (Mr. Arthur O'Connor) did not attempt to disguise his utter want of confidence in the Chief Secretary and the Lord Lieutenant. He had never seen anything in the Chief Secretary to induce him to have the least confidence in his judgment or knowledge of the law. To-night the right hon. Gentleman seemed to be at sea with the Law Officers of the Crown, and already during the progress of the Bill he had changed his mind more than once.

THE CHAIRMAN: I must ask the hon. Gentleman to confine his remarks more closely to the Amendment before the House.

MR. ARTHUR O'CONNOR said, the right hon. Gentleman asked the House to have confidence in him, especially in regard to the mode in which he was likely to interpret the clause. But he (Mr. Arthur O'Connor) wished to know what was the exact amount of confidence that was to be reposed in the right hon. Gentleman, and what that confidence would involve?

THE CHAIRMAN: I have already told the hon. Gentleman that he is speaking wide of the Amendment.

MR. ARTHUR O'CONNOR said, that any attempt to speak to the Amendment seemed to be very much like trying to walk on a greased pole. If he was not allowed to adduce anything by way of illustration to his argument, he failed to see what use there was in addressing the Committee at all. Before he sat down he wished to point out that the right hon. Gentleman had not answered the question put to him by his hon. and learned Friend the Member for Meath (Mr. A. M. Sullivan) as to the necessity or non-necessity of the words "tending to interfere with or disturb the maintenance of law and order." Her Majesty's Government had abstained from answering that question for a simple and obvious reason. They could not answer it, and they dare not answer it. In order to give them time for reflection, he would move now that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Arthur O'Connor.*)

THE CHAIRMAN: The Question is that I report Progress, and ask leave to sit again. At this hour (10.30) I consider that that is a Motion for the purpose of Obstruction, and I shall put it forthwith.

MR. A. M. SULLIVAN: I have not heard the Question.

THE CHAIRMAN: Order, order!

MR. A. M. SULLIVAN: I am quite in Order. I have not heard the Question.

THE CHAIRMAN: The glass has not yet run out.

Question put.

The Committee *divided*:—Ayes 28; Noes 214: Majority 186.—(Div. List, No. 40.)

Original Question again proposed, "That the words proposed to be left out stand part of the Clause."

DR. COMMINS said, the last division was, he believed, intended to extract from the Government an interpretation of what they meant by the words they proposed to retain in the clause, and that interpretation had not yet been given. There were many reasons why the Government should give such an interpretation as would satisfy the House and satisfy also the country. It was too late now to discuss the principle of the Bill, as that principle had already been decided on the second reading. He was sure that a large portion of the people of England would object to have these arbitrary and despotic forms passed, unless they were framed in Constitutional language. This was a

Constitutional country, and no exercise of despotic power was allowed. By the clause as it stood, the powers of the magistracy were restricted, and they had no discretion allowed to them. The object of the Irish Executive appeared to be to obtain despotic power to the extent of enabling them to subject everybody in Ireland to 18 months' imprisonment, explained by no rules or previous decisions, entirely unfettered by anything whatever—even by a discretion that could be questioned. The words were "inciting to an act of violence or intimidation." Was a person using ordinary language, and held to be consistent with all the privileges of addressing a public meeting on a platform, or elsewhere—was such a person to be held liable for the act of another person, who was entirely acting on his own responsibility? Was one man to shelter himself under the alleged language of some previous speaker, and say that it was an incitement to a breach of law and order? Was he to be allowed to make another criminally responsible in order to shelter himself? Suppose that a speaker addressing a Land League meeting or any other political meeting in Ireland, stated that, under certain circumstances, it would be legitimate for a tenant to refuse to pay an exorbitant rent, would he be allowed afterwards to lessen the criminality of the act by pointing out that the language had been used on some other occasion by some other person? He wished to know whether the Act in that respect was to be retrospective or not? He would put a case that might happen. In this country, at this moment, there was a class of contracts which had been as much liable to observation, and even to judicial condemnation, as any contract between an Irish landlord and his tenants. Bills of sale were often drawn up that were of a most inequitable character. They were frequently as inequitable, as hard, as cruel, and as un-Christian as any agreement between an Irish landlord and his tenant. Every day they had solicitors, counsel, and others advising persons to refuse to carry out the conditions of those bills of sale; and when an appeal was made to a Court of Law, there was, at least, one learned Judge who was willing to hear a complaint, and to use the power with which the law had invested him in preventing the holders of these bills of sale from oppressing the unfortunate people who had given them. But a solicitor who would advise resistance to a bill of sale would, in Ireland, under this Bill, be liable to arrest and 18 months' imprisonment, for inciting to an act which tended to disturb the maintenance of law and order. Yet the advice given by a solicitor under such circumstances had the sanction of a distinguished English Vice Chancellor; and he wanted to know how a parallel case—for there were thousands of cases in which contracts quite as unequitable were made between the Irish landlords and their tenants—would be dealt with in Ireland, when this measure became law? Would an act which, in England, was approved and sanctioned by the judgment of one of the highest Judges in the land, be sanctioned in the case of a solicitor who advised the non-payment of rent under an unequitable contract in Ireland? He wished to see in the Bill something that would tie up in words the discretionary power that was to be vested in the hands of the Executive. If he were prepared to intrust his liberty to any man he would intrust it to the right hon. and learned Attorney General; but he would willingly intrust it to no man; and if they were to not have guarantees of legal restriction and provisions contained in direct words in the Act, they ought to have, at least, a guarantee or assurance to prevent a man, whose honour they could not trust like they could trust that of the Attorney General, from carrying out the provisions of the measure in a tyrannical manner.

MR. METGE said, it appeared that the Irish Members were in so much disgrace with the Government that they were not to get an answer to a clear and simple question. Were they to be sent back to Ireland without any assurance at all as to the restrictions which this measure would place upon their liberty? Be it remembered that the Act was to be put in force on the mere word of any-one who declared to the Lord Lieutenant that he suspected a person to be guilty of one of the crimes enumerated. The right hon. Gentleman the Chief Secretary had told the House that he had drawn up the Bill with the greatest care and attention, and not in a rough or hasty manner. If the right hon. Gentleman had thought over every word of the Bill he must have considered its legal consequences; and all the Irish Members asked of him was to give them an expression of his opinion as to what those legal consequences were. He appealed again to the right hon. Gentleman not to allow the discussion to close without giving the Irish Members the satisfaction of knowing how far they might go without bringing themselves under the provisions of the Act. This appeal seemed to be very amusing to hon. Members on the Treasury Bench. Many of them had gone as far themselves without having any Act of Parliament to restrict their rights of public speaking. They had even stirred up a spirit of agitation in Ireland without fearing any consequences from the law. So far as he was personally concerned, he honestly declared in that House that he would not be restricted by any Act. He would go as far as his duty directed him; and in wishing to know what were the limits of the Act, he asked for the information as a matter of justice to the people of Ireland, and not for his own individual liberty, which would not be restricted by any Act.

The O'DONOGHUE regretted that the Irish Members were unable to obtain an explanation from the Government; and if his hon. Friend pressed his Amendment to a division he should certainly vote in support of it. He did not share the view which, many of his hon. Friends appeared to have, that this Bill would have much effect in checking the land agitation. He was sure that it would have no such effect. Indeed, he had heard a declaration from the Government that the Bill was not intended to affect the land agitation, and that they would still be quite free to preach the most revolutionary doctrines. He certainly did not entertain the slightest apprehension that the Bill would shake the land agitation.

Mr. GILL thought the Irish Members were entitled to an answer from the Government to the question they had asked in regard to what would bring Irishmen under this law. He held a letter in his hand which had been written within the last few days by a Roman Catholic Bishop in Ireland, which, by a loose interpretation of this clause, would render the right rev. Prelate as much liable to be arrested as any man in the country. He showed in the letter that a great number of the contracts that were in existence in Ireland were inequitable and unjust, and of a kind that ought not to be kept. To show how extremes met, he might also quote a passage from an English writer, a Positivist, in *The Contemporary Review* this month. If he were to use the same words on a platform in Ireland as those he found in *The Contemporary Review*, he would certainly be liable to be arrested. The writer was Professor Beesley, and he said—

> "To talk of an agreement between a Connaught landlord and a Connaught tenant as one of contract is contrary to common sense."

These were the words used by a gentleman who called himself a Positivist. The Roman Catholic Bishop said—

> "A contract is a sacred engagement voluntarily entered into between two parties free and independent of each other."

The CHAIRMAN: I cannot see how either of these extracts bear upon the Question before the Committee.

Mr. GILL said, his line of argument was that, according to the interpretation of the clause they were now discussing, any one might be arrested for advising others not to be bound by their contracts; and he wanted to show that many of these contracts might be considered, by a loose interpretation of the Act, as binding or not binding. He would not, however, pursue that line of argument, because he thought he had sufficiently shown what his object was. But he thought they ought to know, especially in reference to the present agitation, to what lengths the Irish people might go. Some time ago, the right hon. Gentleman the Chancellor of the Duchy of Lancaster, and also, he thought, the Chief Secretary himself, said that this Bill was not intended to interfere with the legitimate agitation of the Land League. The opinions expressed in the language he had quoted were the result of the legitimate agitation of the Land League; and he thought Her Majesty's Government ought to give some assurance as to how far the Irish people might go in that agitation without rendering themselves liable to the clutches of the law, as it would be administered under the Coercion Act.

Mr. BYRNE considered the Bill was drawn in a manner by no means clear; and it was only fair to ask that it should be made clear, in order that the people should be prevented from committing an offence that would bring them within its operation. He assumed the Irish people would still have the right to assemble in public meetings, and that hon. Members would have to address their constituents, from time to time, upon various subjects connected with the Land Question in Ireland. That would be his duty; and having a desire to keep within the law himself, and to advise his constituents to do likewise, it appeared to him that the question asked by his hon. Friend was entitled to a clear and fair answer. If it was not intended to interfere with the right of public meeting in Ireland, some emphatic statement should be given on the part of the Government; and the sooner it was done the better it would be for the interests of the Government and the peace of the Irish people. He wished the Government would act on the principle of giving no one an opportunity of breaking the law unless it was done intentionally. If proof of the offence were contemplated by the Bill there would not be such a necessity for having the law precisely defined; but, inasmuch as reasonable suspicion was the only ground of arrest, he thought the language of the Act should be made perfectly clear to the people who would be subject to its operation. Her Majesty's Government said they were as desirous as Irish Members were of governing Ireland wisely and well; and if these were their intentions the question of his hon. Friend was certainly one which, in an Assembly of sensible Gentlemen, ought to receive a reply.

MR. DALY said, he intended to ask a question of the Premier, which he was entitled to have answered, if he was to subjected to the imposition of that exceptional law. He wished to know what was meant by the words "tending to intimidate" or disturb the maintenance of law and order. He would recall to the right hon. Gentleman his own words, and ask him whether, in these days of coercion, the Irish Members could follow the line he himself marked out for them? The right hon. Gentleman used these words—

> "If you will take these words and weigh them, I say they bear out in the strictest sense the definition of my right hon. Friend, that we aim by this Bill, and aim solely at the perpetrators and abettors of outrage. . . . . They do not in the slightest degree justify the suspicion that we are interfering with the liberty of discussion. I will go further. We are not attempting to interfere with the licence of discussion. There is no interference here with the liberty to propose the most subversive and revolutionary changes. There is no interference here with the right of associating in the furtherance of those changes, provided that furtherance is by peaceful means. There is no interference here with whatever right hon. Gentlemen may think they possess to recommend and bring about not only changes of the law, but in certain cases breaches of positive contract. I am not stating these things as a matter of boast. I am stating them as a matter of fact. I must say it appears to me that it is a very liberal state of law which permits hon. Gentlemen to meet together to break a contract into which they have entered, and yet liberal as that state of things is, there is no interference with it whatever by this Bill."—[3 *Hansard*, cclvii. 1686-7.]

They were bound to assume that a Gentleman of the Premier's great experience spoke what he meant, and he wished to know whether they were to be at liberty to do what he indicated? Her Majesty's Government were setting up an unknown law, and were refusing to indicate the line of conduct which would keep people from breaking that law. He had a right, therefore, to demand from the Attorney General for Ireland what interpretation he placed upon the words in question; and, no matter what amount of impatience was manifested by the Committee, it was only due to Irish Members that the right hon. Gentleman should rise in his place and explain.

MR. CALLAN said, he did not take part in the last division, because he did not approve of such a Motion being made so early; but he was not the less indignant, as an Irish Member, at the studied insult conveyed by the reticence of the Government, and at the obstructive tactics pursued in the House with the sanction of the Government.

THE CHAIRMAN: I do not see how the hon. Member is speaking to the Question before the Committee.

MR. CALLAN said, he wanted to get an answer to the question put so often. As he would have to return to Ireland and do his duty to his constituents there, he wished to know from the responsible Ministers of the Crown how far the liberty of the subject would be preserved to him. The Prime Minister stated that the Bill was not intended to put down the Land League, nor freedom, nor even licence of speech. The question was whether a rampant, tyrannical majority——[" Order!"]

The CHAIRMAN: I must call the hon. Gentleman's attention to the words which he has now used, as they are not within the usual courtesies of the House.

Mr. CALLAN contended that the conduct of Her Majesty's Government had not been courteous to Irish Members, inasmuch as they had declined to give an answer to a fair question; and he maintained—although it might not be courteous to say it—that their conduct was a studied insult and their tactics obstructive.

Question put.

The Committee *divided*:—Ayes 237; Noes 48: Majority 189.—(Div. List, No. 41.)

Mr. T. P. O'CONNOR proposed to insert, after the words "law and order," the words "nothing in this Act being held to interfere with liberty of discussion or association."

Mr. A. M. SULLIVAN rose to Order, and asked whether an Amendment in his name should not be taken first?

The CHAIRMAN: The hon. Member had an Amendment; but the Committee have decided to go on in this order.

Mr. A. M. SULLIVAN submitted that he was not precluded from moving his Amendment.

The CHAIRMAN: The hon. and learned Member is mistaken.

Mr. T. P. O'CONNOR, resuming, said, the interpretation of the clause might be perfectly apparent to the Law Officers of the Crown; but he wished to make it perfectly clear. On the authority of several speakers from the Treasury Bench, he took it that the Government had no desire to interfere with freedom of speech at public meetings, or with association. The Prime Minister had said that there was no ground for interfering with the preaching of particular doctrines, even when the preaching of such doctrines might be taken to interfere with contracts; and the Prime Minister, having said that, could not, he thought, object to it being embodied in the Bill, for the interpretation of the Act would not regulate the working of the Act; but the interpretation of the Law Officers and the magistrates, and any other persons who would have to carry out the Act. The words he proposed would be a barrier against the ill-use of the Act, and, at the same time, would not overload it with unnecessary words. They were the more necessary because the interpretation of the Prime Minister had not been sanctioned by the Attorney General or any of his Colleagues; and consequently the people of Ireland would be left unprotected unless those words, which seemed to represent the meaning of the Premier's speech, were added.

Amendment proposed,

In page 1, line 12, to insert "nothing in this Act being held to interfere with liberty of discussion or association."—(*Mr. T. P. O'Connor.*)

Question proposed, "That those words be there inserted."

The ATTORNEY GENERAL for IRELAND (Mr. Law): I should like to ask the hon. Member whether he seriously proposes the insertion of these words?

Mr. T. P. O'CONNOR: Certainly.

The ATTORNEY GENERAL for IRELAND (Mr. Law): The clause would then run thus:—

"Any person may be arrested and detained upon reasonable suspicion of his being guilty of any crime punishable by law, being an act of violence or intimidation, or the inciting to an act of violence or intimidation, and tending to interfere with or disturb the maintenance of law and order," but "nothing in this Act shall be held to interfere with liberty of discussion or association."

So that the proposition is this—a man may be arrested upon suspicion of being guilty of any crime, violence, or intimidation known to the law, or of inciting to any such crime; but nothing in the Act shall authorize the arrest of any person who incites to a crime of violence, or is believed guilty of the offence of intimidation in any of its forms, provided it is done in wholesale in an address to a public meeting, or in pursuance of a combination for such guilty purpose. It seems to me that the circumstances thus relied on by the hon. Member as ground for exemption from the Act tend to intensify guilt of the party rather than diminish it. It surely will not be gravely contended that because the incitement to crime—let us suppose, to murder—comes in the course of a speech at a public meeting, therefore the man who thus incites to murder is not to be arrested.

Mr. A. M. SULLIVAN said, the Irish Members agreed that if a man incited to murder or assassination he must suffer for it; but, in their judgment, the Bill was calculated, through the Irish magistracy, to strike down agitation on the Land Question. This he stated to put them right with the Committee, for they were offering all the resistance they could against what they believed would strike at public agitation and drive people to Ribbon societies and secret agitation. Mr. Froude had said that in Ireland landlordism was tempered by assassination. He knew Conservative Members of the House who considered that a deadly incentive to violence in Ireland; but because it was said, or written, by Mr. Froude it was no harm. It was equivalent to saying that "but for assassination, you know what landlordism would be. The dread of assassination holds the hand of the tyrannical landlord." A speech was made by an agitator who, pointing to the condition of the Irish tenantry, said—

> "If Ireland were removed a thousand miles away all this would be changed, or the landlords would be exterminated by the vengeance of the people."

Was that an incentive to crime and violence? Was that a speech in support of law and order? No; but it was made by a Member of the present Cabinet before the anger of his soul was tempered by Office, and when he was proud to be denounced as an agitator. By the Bill, with its fatally loose phraseology, with its deadly snare in every line, with its ambiguity, intended to give no protection, the Premier was going to do what Lord Wellesley had shrunk from doing when, with Ireland red with blood, and with 136 murders in one year, he said—"I will not throw the Irish people into the hands of an angry magistracy." He and his hon. Friends resisted every word of the Bill, because they believed that before the 1st of June the Government would understand their fear that the Bill would drive the people into conspiracy in the mountain hut and in the Ribbon lodge. The Attorney General for Ireland had asked the hon. Member for Galway (Mr. T. P. O'Connor) whether he was serious in his Amendment. He would also ask his hon. Friend if he was serious in thinking he would pin the Government to indorse the genial words of the Prime Minister, uttered to smooth the passing of the Bill. They would do nothing of the kind; the Prime Minister should be free to speak in the kindly way he loved; and if any man were brought within the lines of the Act within two months, or less, poor protection it would be to him to say he trusted to the words of the friend of Neapolitan prisoners. His hon. Friend might as well not move his Amendment, for deceived and false would be the hope of the Irish peasant of finding the words of the Prime Minister put into any Amendment to protect him from the suspicion that would dog his steps if he attended a Land League meeting. The Amendment was scoffed at by the Attorney General, who asked the hon. Member if he was serious in thinking that the Prime Minister was in earnest. He agreed with the right hon. Gentleman that it was a joke; but it was a very solid joke, at the expense of the liberties of the Irish people. The Amendment was an attempt to put into the Bill words uttered by the Prime Minister in protection of public liberty and public agitation; and the time might come to pass when the Prime Minister would understand the anxiety displayed by some hon. Members — anxiety which they would display over every word of the Bill—to protect public agitation in a country which had been too long honeycombed by secret societies.

MR. BRADLAUGH pointed out that a lawful assembly might be a crime punishable by law, for it had been held in 1820, in the case of the "King and Hunt," that a meeting held for a lawful purpose, but attended by large numbers of people, might be an unlawful assembly, and a meeting calculated to overawe, and intimidate, and to disturb the maintenance of law and order. The present Justice Stephen, in his *Digest of the Criminal Law,* quoted Lord Chief Justice Holt's decision that it was quite certain that a meeting convened for a particular purpose, and a perfectly lawful purpose, attended in large numbers, and at which speech was used, although not inciting to direct acts of violence, might be held to be an unlawful meeting from the numbers attending it and the effect of the speeches on people of reasonably firm and courageous disposition in the neighbourhood. As the Government did not intend to interfere with meetings, he thought that, even if they could not adopt the Amendment, they might insert words in the Bill which would prevent its being applied in such a case. He did not believe the Government would so apply the Bill; but he submitted that the House should not enact a measure on the faith of what they might do, but on the consideration of what any Government that might be in Office during the continuance of the Bill might do.

Mr. WARTON said, the Amendment came within Lord Palmerston's definition of dirt. It was "matter in the wrong place," for it ought to be at the end of the Proviso to read correctly.

Mr. T. P. O'CONNOR expressed his willingness to put the Amendment in any part of the Bill if the Government would accept it.

Mr. O'DONNELL had no doubt that the Amendment would be strenuously opposed by the Government, for the same principles which had led them to introduce the retrospective clause, and thus cast a snare about the feet of the people, would lead them to persist in having the Bill as vague, and extended, and undefinable as possible. The Bill would not be interpreted by the Chief Secretary or the Premier, but by the Law Officers of the Crown; and he contended that it should not be left to any of those right hon. Gentlemen to interpret it. It was the policy of the Government to prevent anything like accurate definition, for they wished to have the arm of coercion over the whole of the country; and if the hon. Member for Galway thought that by introducing words taken textually from the speech of the Premier he could bind the Prime Minister by his own words, he would show himself singularly susceptible to hallucination. He would, therefore, advise his hon. Friend to choose other words, for he believed any words other than those of the Premier would have a better chance of acceptance by the right hon. Gentleman, who could explain away his words, and repudiate even his own repudiations.

Dr. COMMINS expected the Amendment would meet the same fate as others had met; but he entered his protest against the continued persistence of the Government in maintaining the despotic character of the Bill. Every attempt to reduce it from being the most complete and all-absorbing Act ever passed was met with the same persistent and dogged resistance. The Law Officers knew the effect of the wide and undefined character of the Bill; but they declined to tie up the hands of the underlings in Ireland, who would have to impose the Act on the people; they declined to have anything like a definition, or anything like a limitation of the power to imprison for anything, or for nothing at all. It had been well observed that the Law Officers would not only have the interpretation of the Act. He was afraid nobody but the policeman and the resident magistrate would interpret the Act.

The CHAIRMAN: I do not see how the observations of the hon. and learned Member are connected with the question of freedom of discussion.

Dr. COMMINS, continuing, said, the great check upon a law that was oppressive was that it could only be enforced by prosecution and indictment, so that legal interpretation might be put upon it; but the proposed Bill would dispense with that safeguard. There would be neither indictment nor summary procedure; and the only thing there would be to guide the Chief Secretary in his interpretation of the Act would be the information of the police or the magistrates, and he would have to adopt their interpretation of it. If a Judge at Assize, or of a County Court, had the interpretation of the Act, with evidence and legal argument before him, there would be some guarantee that it would be interpreted aright and according to well-known principles of Constitutional law; but he was afraid—in fact, what he complained of was, that there would be no such check on the interpretation of the Act.

The CHAIRMAN: The hon. and learned Member has not yet come to any application of his remarks to the Question before the Committee.

Dr. COMMINS, continuing, said, what they wished was to give a guide to those who would have to interpret the Act, by inserting the words proposed in the Amendment. He was afraid that in the absence of such words as those the Act would be interpreted with reference to the informations and the speeches of Judges at the Assize. Some of those speeches were, in Lord Campbell's words—

> "Not only illegal and unconstitutional; but such that the foreman would have a right to stand up and contest them."

In its present form, the Act would work, he believed, even more oppressively than it appeared to them likely to do then.

MR. O'SHAUGHNESSY said, the matter was getting more confused every moment. It was sufficiently confused when the explanation of the right hon. and learned Gentleman the Attorney General was made, and it was more so then. The right hon. Gentleman the Chief Secretary had refused that evening to answer a question put by the hon. Member for Carlow (Mr. Gray) as to whether a certain speech—there had been many such during the agitation — could be brought within the Act. Some words of the right hon. Gentleman at the head of the Government were read, in which he laid down the amount of licence which might be given. Inasmuch as no answer had been given to the hon. Member for Carlow, the hon. Member for Galway City proposed to insert certain words which had been used by the right hon. Gentleman the Prime Minister. These words had been deliberately rejected. Was that a fair thing to do with the people of Ireland? Under the circumstances, all they could do was, solemnly in that House, to call attention again to the words used by the Prime Minister, when he told them what the Act meant. Here were the words of the Prime Minister—

> "We are not attempting to interfere with the licence of discussion; there is no interference here with the liberty to propose the most subversive and revolutionary changes. There is no interference here with the right of associating in the furtherance of those changes, provided the furtherance is by peaceful means. There is no interference here with whatever right hon. Gentlemen may think they possess, to recommend and to bring about, not only changes of the law, but, in certain cases, breaches of positive contract."—[3 *Hansard*, cclvii. 1686-7.]

Let the Representatives of Irish and English landlords in that House listen to those words, and be witnesses when the time came. He did not know the source from which the hon. Member for Galway obtained that report. Now was the time for a correction to be made if there were any inaccuracy.

MR. M'COAN said, that that further Amendment had been forced upon them by what, he took leave to say, meaning no personal disrespect, was the indecent refusal of the right hon. and learned Gentleman the Attorney General to answer a question previously. ["Oh, oh!"] He would adhere to the word "indecent." That refusal had compelled them to appeal from him to his Chief, the Prime Minister. If the meaning of the words was compatible with a declaration of their rights he was content. It would become the candour and dignity of the right hon. Gentleman the Prime Minister to tell them what were their rights under that Bill. No man desired to keep within the law more than himself; but, at the same time, he had duties to perform towards his constituents, and he, therefore, would respectfully ask the right hon. Gentleman the Prime Minister if they might understand that they might reconcile his words with those of the Bill as it then stood?

MR. GLADSTONE: I rise as a matter of courtesy to the appeal made by the hon. Gentleman opposite, because the question is quite independent of the demand which has been made upon my right hon. Friends to introduce into the present Bill explanatory words which we believe not to be necessary, and which, we are afraid, might be mischievous. I will take the speech which has been last made. I understand the hon. Member to ask me whether I abide by the explanation, which I made for the information of the House, of what I conceived to be the scope and purport of the Bill before it was in the hands of Members. I see no reason whatever why I should recede from, or modify, those words. Those words were never seen or read by me, and the report is not one authorized by me. At the same time, the only criticism I make on the report is this—that, so far as my memory goes, I never had the presumption of undertaking to determine what the law was with regard to liberty of association, or persuading other persons to break their contracts. But what I did intend to say, and what I believe I did say, was, that whatever the law was upon that subject, whatever rights Gentlemen might think they possessed, they were not interfered with by the present Bill. I have not had the advantage of any communication with those who are better informed than myself; but, at any rate, I abide by those words, subject only to the explanation I have now given, which does not at all affect the point at issue.

Sir R. ASSHETON CROSS: As I understand the right hon. Gentleman the Prime Minister, the Bill is not intended to interfere with whatever may turn out to be the existing law. He does not wish to go beyond that.

Mr. GLADSTONE: I do not concede that any matter connected with the question of the liberty of association for the purpose of dealing even with contracts is interfered with by the present Bill. But what the existing law is, is not for me to decide.

Mr. T. P. O'CONNOR observed, that he was responsible for the quotation from the speech of the right hon. Gentleman, which he had carefully copied from *The Times* newspaper of January 29th. The report and the statement of the right hon. Gentleman were contradictory in the most essential points.

Mr. HEALY could only say that he believed that the words of the Prime Minister had had a good deal to do with the votes of hon. Members on the second reading. If the Government adhered to the statement of their Chief, why did they not accept the Amendment of his hon. Friend? An Amendment should, at any rate, be passed to explain what they really did mean, and what meaning, of all the contradictory ones given by different Members of the Treasury Bench, was to be accepted. Now, however, that the Government own that the words were cutting against themselves they were anxious to shuffle out of the difficulty. The right hon. Gentleman the Prime Minister then endeavoured to place a different construction upon the same words that he had uttered on a previous occasion. If the Bill were passed in its present shape the Irish people would be in a pretty plight, for they would be completely at the mercy of the right hon. Gentleman. The right hon. and learned Gentleman the Attorney General had said that men could only be arrested for crimes known at Common Law. The Government ought to have no objection to introduce into the clause, and into the warrant, the particular law which, it was alleged, had been broken.

The CHAIRMAN: The hon. Member is not speaking to the Amendment before the Committee. I must ask him to confine himself to that Amendment.

Mr. HEALY said, that the Committee did not appear to appreciate the spirit of the Amendment. Its object was to put into the Act of Parliament words which had been used by the Prime Minister.

Sir R. ASSHETON CROSS: In order that I may not be misunderstood, I wish to say that I did not rise before for the purpose of embarrassing the Government, but to make the matter absolutely clear. I understood the Prime Minister to say that he did not pretend to lay down what the law was; but that if a meeting, such as had been alluded to, were unlawful now, it would be unlawful under the Bill; and that if it were lawful it would still be so after the passing of that Act.

Mr. GRAY said, he did not take the despondent view of the situation that the hon. Member for Wexford did. He hoped that the hon. Member for Galway (Mr. T. P. O'Connor) would withdraw his Amendment after the explanation of the Prime Minister. The right hon. Gentleman had made an explanation of the objects of the Bill upon the debate for leave to bring it in; and they had been endeavouring, for the last two hours, to obtain some confirmation of the views of the right hon. Gentleman. The right hon. Gentlemen on the Treasury Bench had shown a great lack of courtesy; but that courtesy had been subsequently displayed by the Prime Minister himself. The right hon. Gentlemen had maintained a rigid silence, apparently with the object of exasperating the Irish Members. However, the right hon. Gentleman had now in Committee in effect confirmed what he had before stated as regarded the scope and intentions of the Bill; and it must be remembered, as regarded the Amendment, that what they had to look to was not so much the precise terms of the clause, but in what light certain occurrences would be regarded by the right hon. Gentleman the Chief Secretary and the Lord Lieutenant in their own province. He believed that the expression of opinion from the real author of the Bill, who was ultimately responsible for it, would be held to mean in Ireland that the Government did not intend to interfere with the ordinary public meetings. He was inclined to place reliance upon what the right hon. Gentleman the Prime Minister had stated; and he hoped that his hon. Friend the Member for Galway (Mr. T. P. O'Connor) would withdraw the Amendment.

MR. T. P. O'CONNOR said, that, with the permission of the Committee, he would withdraw his Amendment.

MR. BIGGAR said, he had a similar Amendment on the Paper; but he had not intended to move it. But, before that one was withdrawn, he should like to be permitted to say a few words with regard to the principle at issue—namely, the right of public meeting. He thought the Government would readily agree that the general principle upon which that Bill was based was, that it should come into operation when legal evidence could not be had. Where reporters attended, and there were large audiences, it would be perfectly easy to get evidence. However, the evidence of reporters should always be subjected to examination. For instance, in County Cavan a police constable gave evidence with regard to notes that he had taken at a meeting. A priest who was present saw the constable take note of words having an objectionable meaning without adding the context, which went materially to modify and explain those words. Such evidence was, therefore, incorrect, and should, for that reason, he believed, be subjected to scrutiny.

Amendment, by leave, *withdrawn.*

MAJOR NOLAN rose to move an Amendment.

MR. BIGGAR said, he had an Amendment before that of the hon. and gallant Gentleman.

THE CHAIRMAN: The Amendment of the hon. Member comes afterwards.

MR. BIGGAR said, it was an Amendment to leave out the words "threatening letters."

THE CHAIRMAN: That was included in the Amendment of the hon. Member for Roscommon (Dr. Commins). The hon. Member cannot, therefore, move it.

MR. GRAY rose to a point of Order. The Amendment of the hon. Member for Roscommon was that threatening letters should be included.

THE CHAIRMAN: It was just the reverse.

MAJOR NOLAN hoped they would agree to his Amendment. Its object was that if a man should be in England or any other part of the United Kingdom, except Ireland, it would not be lawful for the Government to issue a magistrate's warrant to bring the man to Ireland for having committed an offence, and there to punish him under that Act. Such cases had occurred under the Westmeath Act, and it was obviously totally opposed to the spirit of the present Bill. If the Law Officers of the Crown could not see their way to agree to his proposal, of course his Amendment would fall to the ground; but he believed they would have no difficulty in doing so. During the War in America, that kind of arrest had been often resorted to, men having been arrested in the South and sent to the North for punishment. It would be better, he believed, and more consonant with English freedom, if, when a man reached this country, he was exempt from the operation of the Act. In his opinion, it would be most unwise for men who were suspected to be driven to America. He should be quite satisfied if they were driven as far as England. The class of men he had in his mind were the farmers who had joined the land agitation; and these, even if the Amendments moved by the Irish Members had been carried, could be arrested by the Lord Lieutenant if they remained in Ireland. For them to be exiled to England would be punishment, to a certain extent; but from there they would be able to communicate readily with their friends, and manage their farms and look after their families by correspondence. If they were not allowed to come to England they would be placed in a much more painful position. If he was driven to America he would not be able to manage his affairs at home, and he would not be able so easily to communicate with the authorities, and, on promising to remain quiet and not give offence, obtain permission to return to his own country to live free from arrest. There were degrees of banishment. In Russia it was considered a much more severe thing to be banished to a remote part of Siberia than to a near part, and with the Romans the severity of banishment was measured by the distance the exile was sent away from Rome. So in the case of the Irish farmers; and he trusted that the Amendment would be accepted, so that they might not be banished to America.

Amendment proposed,

In page 1, line 13, after the word "Ireland," to insert the words "Provided, That such person is in Ireland of his own free will, and has not been recently brought to Ireland in legal custody."—(*Major Nolan.*)

Question proposed, "That those words be there inserted."

Mr. GRAY wished to ask the Attorney General whether, in the event of a warrant being issued by the Lord Lieutenant for the arrest of a person for an offence, or supposed offence, committed in Ireland, and after the warrant was issued and before the arrest took place the person sought to be apprehended left for England, the warrant could be sent over to England, indorsed by the Home Secretary or proper authority, and executed in this country? An ordinary warrant, he was aware, could be so executed.

The ATTORNEY GENERAL for IRELAND (Mr. Law): Does the hon. Member mean a warrant under this Bill? [Mr. Gray: Yes.] The warrant would not run in England. Of course, to issue a warrant, as in the ordinary course of law, for the mere sake of getting a man brought to Ireland to arrest him under the special powers of this Act, would be an abuse of the ordinary law. He did not believe cases of this kind would arise; and he thought some reliance might fairly be placed on the intention of the Government to carry out the Act honestly and fairly.

Mr. HEALY said, it was all very well for the right hon. and learned Gentleman to tell them that they would honestly carry out the Act. He did not believe in the honesty of the Government. The carrying out of the law would be in the hands of the most dishonest class in Ireland.

The CHAIRMAN: I must remind the hon. Member that that is not the Question before the Committee. Mr. O'Connor——

[Mr. T. P. O'Connor here rose.]

Mr. HEALY: I rise to Order. I wish to know whether my right to speak is concluded?

The CHAIRMAN: The right of the hon. Member to speak is not concluded if he speaks to the point; but the subject he was speaking on when I drew his attention to the Question before the Committee was not relevant to that Question.

Mr. HEALY said, he had no belief in the honesty of the Government; and as for the magistrates, on whom the Government had had to rely in scores of similar cases to get hold of a man who was out of their jurisdiction, they would, without compunction, charge him with some paltry crime, bring him from England, and then imprison him under this Act. The magistrates of Ireland, who were the landlords of Ireland, had a good many grudges to avenge; and if they found that the persons they wanted to punish had left for England they would make representations to the Chief Secretary—as he had known them do in the past—that these persons had acted illegally, and so obtaining power to bring them over on a certain charge, imprison them on another, without allowing them to be heard in their own defence. To his own knowledge, men were arrested in England on Common Law charges in 1867, before the Suspension of the Habeas Corpus Act Bill had been read a second time; they were taken to Ireland, put under lock and key, remanded from day to day until the coercion measure passed, and then imprisoned under it. If the Government, in refusing to accept the Amendment, feared that the Irish Members would occupy too much time on the Report, he would assure them that, in return for a simple concession, the Irish Members would not delay the measure on that stage.

Mr. T. P. O'CONNOR objected to the Committee discussing the question whether the Government were honest or not. That had nothing to do with the matter at all, because, on penal legislation, when they were defending the liberties of the people, they must assume that the intentions of the Government were dishonest—that the Executive was oppressive and tyrannical. The Government had admitted the claim that he was bound to take as many precautions against him as though he (the right hon. Gentleman) were a Nero or a Caligula. Then, was the proposed precaution an unnecessary one? Would the Attorney General deny that persons had been brought to Ireland under the flimsiest pretexts, and then put in prison under some Coercion Act?

The ATTORNEY GENERAL for IRELAND (Mr. Law): I do not know of any such cases.

Mr. T. P. O'CONNOR said, he knew of them. Men had been taken into police courts on charges that had not been proceeded with when the victims were under lock and key. The Predecessors of the right hon. Gentleman had been quite as honest as he claimed to be, and had endeavoured to carry out similar Acts honestly; but that had not prevented these arrests being made. Were such arrests fair? The right hon. Gentleman seemed to take refuge in discreet silence; but he would ask hon. Gentlemen opposite whether such arrests were fair? He trusted that a division would be taken on the Amendment.

DR. COMMINS said, the effect of the Bill, as it stood, would be to bring England under its provisions indirectly. It was all very well for the Lord Lieutenant and the Chief Secretary to have the best intentions in the world; but, as he had said before, they were nothing more than figure heads in this matter, and the carrying out of the law would rest with the Justices, their drivers, caretakers, bailiffs, and the police. The Lord Lieutenant and the Chief Secretary will do nothing more than fiat the decisions of these officials, and exercise a nominal supervision over them. There were branches of the Land League in England and Scotland and Wales, and members of those branches had given money to support the movement. Gentlemen from Ireland, in the past, had addressed the meetings of these branches; and if they did so in the future they might be arrested on frivolous charges, sent over to Ireland, and there imprisoned under the Coercion Act. They had had an instance of frivolous arrests in connection with the murder of the unfortunate Lord Mountmorres. Four persons were arrested in England under a charge that was found to be absolutely ridiculous when it was brought under investigation. The men were discharged, and it must be borne in mind that this was a case in which the magistrates would have committed for trial had there been the slightest scintilla of evidence. An active or energetic policeman or informer could easily swear that he had reason to believe that such and such a person who was in England was implicated in some outrage in Ireland, a warrant would be obtained, that would be backed by the authorities in England, and the victim could be arrested and imprisoned for 18 months without any charge being brought against him. He did not think the Government had intended to resort to such a course as this, for it would be a base subterfuge to which he did not think those who had prepared the Bill could be capable of descending; but he asked them to protect themselves against the over-zeal, the malicious designs, and the spite of persons scattered all over Ireland who might have grudges against certain people. For the sake of their own character, and to prevent the dissatisfaction and hatred against the Government that the Bill would otherwise excite, not only in Ireland but in England, he urged the Committee to accept the Amendment.

MR. A. M. SULLIVAN called attention to a case which had happened a short time ago in which an hon. Gentleman, a Member of the House, who usually resided in England went over to Ireland, and addressed a land meeting there, and out of his speech an information was sworn that he had threatened a tenant. The Gentleman was arrested and committed for trial, but subsequently acquitted by the jury. If that Gentleman had gone over to England, and the Coercion Act had been in operation, what would have happened? Why, a warrant would have been issued in Ireland, it would have been backed in England, and the hon. Gentleman would have been arrested, taken to Ireland, and imprisoned for 18 months without trial. The Attorney General for Ireland had said that to issue a warrant for an ordinary offence, simply in order to get a person in Ireland, would be an abuse of the law; but the right hon. and learned Gentleman did not speak as a lawyer administering the Act, but as a man and gentleman. He believed the right hon. Gentleman when he said it would be an abuse of the law; but, at the same time, they must not lose sight of what was fairly possible under the measure. Let the Committee decide how they would, they must act with a knowledge of the circumstances that had been put before them by the Irish Members. They must act with their eyes open, and he would tell them that they were on their trial before the Irish people; and if an honest case were made out, and they refused to listen to it, depend upon it they would be storing up an opinion in Ireland which would be heard of hereafter.

Question put.

The Committee *divided:*—Ayes 57; Noes 170: Majority 113.—(Div. List, No. 42.)

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir Joseph M'Kenna.*)

MR. A. M. SULLIVAN wished to call attention to the fact that the two noble Lords, the Government Whips, in these divisions stationed themselves, not at the door of their own Lobby, but at that of the other side; so that any Liberal Members, going to vote with the Irish Representatives, had to pass the ordeal of their reproachful looks, if not actual dissuasion. Now, he (Mr. A. M. Sullivan) wished to say of these two noble Lords that their genial courtesy and good nature made them favourites with everyone in the House; and all the more painful it was for anyone, especially their own followers, to run the gauntlet in this way.

MR. CALLAN said, he also had thought of calling the attention of the Chair to what he regarded as the unprecedented insolence of the Government Whips in standing at the door, and, when hon. Members came in at that advanced hour of the night from the Smoking Room, telling them into which Lobby they must go. It was but right that the public should know the manner in which the majorities were obtained.

Question put, and *agreed to.*

Committee report Progress; to sit again *To-morrow.*

SEA FISHERIES (CLAM AND BAIT BEDS) BILL—[BILL 83.]

(*Mr. Chamberlain, Mr. Ashley.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Chamberlain.*)

MR. R. POWER begged to oppose the Motion.

MR. SPEAKER said, the hon. Member should have given Notice of his intention to oppose the second reading of the Bill.

Question put.

The House *divided:*—Ayes 97; Noes 5: Majority 92.—(Div. List, No. 43.)

Bill read a second time, and *committed* for *Monday* next.

MARRIED WOMEN'S PROPERTY (SCOTLAND) BILL.

Ordered, That the Select Committee on Married Women's Property (Scotland) Bill do consist of Nineteen Members:—That Sir DAVID WEDDERBURN, Mr. ORR EWING, Mr. M'LAGAN, and Mr. DALRYMPLE be added to the Committee: Power to send for persons, papers, and records; Five to be the quorum.—(*Mr. Anderson.*)

PRESUMPTION OF LIFE (SCOTLAND) BILL.

On Motion of Mr. ANDERSON, Bill to amend the Law as regards the Presumption of Life in persons long absent from Scotland, *ordered* to be brought in by Mr. ANDERSON, Mr. BAXTER, Mr. ORR EWING, Mr. PRESTON BRUCE, and Mr. JAMES CAMPBELL.

Bill *presented,* and read the first time. [Bill 86.]

MIDDLESEX LAND REGISTRY BILL.

On Motion of Mr. HOPWOOD, Bill to improve the Constitution and amend the District of the Middlesex Land Registry, and to amend the Law relating to the Registration and Transfer of Land in Middlesex and the Metropolis, *ordered* to be brought in by Mr. HOPWOOD, Mr. GREGORY, Sir THOMAS CHAMBERS, Sir SYDNEY WATERLOW, and Mr. LEWIS.

Bill *presented,* and read the first time. [Bill 87.]

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, 15*th* *February,* 1881.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Alkali, &c. Works Regulation (29).

Third Reading — Consolidated Fund*, and *passed.*

CENTRAL ASIA — CORRESPONDENCE BETWEEN RUSSIA AND THE AMEER OF CABUL.

PERSONAL EXPLANATION.

THE EARL OF LYTTON: My Lords, before your Lordships proceed to the business of the day, I would wish, with the permission of your Lordships and of the noble Duke (the Duke of Argyll), to whom I have given private Notice of it, to make a very short personal statement with reference to some observations addressed to your Lordships by the noble Duke last week with regard to alleged preparations made by the Government of India in 1876, those being a great military expedition, involving the construction of a bridge of boats across the Indus, and the concentration of a large army on the Afghan Frontier for the purpose—at any rate, for the apparent purpose—of invading or menacing Afghanistan, or the Russian possessions in Central Asia, or both. In addressing to the noble Earl the present Secretary of State for Foreign Affairs the Question to which my remarks were strictly confined, I did not expect that I should myself be questioned on other matters by the noble Duke; because, to tell the truth, I was not aware that it would be regular for the noble Duke, any more than for myself, to address to your Lordships a somewhat elaborate, and, as it seems to me, a not very relevant series of remarks upon the answer so courteously given to the Question by the noble Earl. But, my Lords, I cannot but think that it would be exceedingly inconvenient to this House—and I confess it would be encumbering and embarrassing to myself—if, in moving the Resolution of which I have given Notice in reference to Candahar, I were to enter in detail upon matters wholly unconnected with that question; because I must freely confess that I am quite unable to see how the expediency of retaining or abandoning Candahar can possibly be affected by the question whether, five years ago, I wished to build a bridge of boats across the Indus; and, therefore, I wish to take this opportunity of answering at once the question asked by the noble Duke on the subject. The noble Duke last week told your Lordships a very interesting and impressive story about the construction of this bridge of boats, and the collection of a large army for which this bridge of boats was to be employed; and, having completed his narrative, he called upon me to state to your Lordships whether the whole story as told to you was a myth. As told to you by the noble Duke, that story, undoubtedly, is a myth, and I think I shall be able to satisfy your Lordships that it is a very imaginative myth; but, like all other myths, it has a very minute substratum of fact, and the substratum of fact is this. Your Lordships are, no doubt, well aware that there is a small tongue of independent and barbarous territory which juts into the old unscientific Frontier on the North-West of India directly between the important fortresses of Peshawur and Kohat; and so long as the Government of India had been at peace with the turbulent tribes which populate it, all our communications between Peshawur and Kohat had been carried on straight across this tongue; but when I arrived in India, in 1876, disputes had arisen between the Frontier Tribes and the Punjaub Government, which, I need hardly remind your Lordships, has always been, and is, the local guardian of our interests, and this pass had been closed by the hostile tribes, and the Punjab Government was blockading those tribes who had closed the road. But, unfortunately, the blockade was so ineffectual that when I visited Peshawur in the winter of 1876 there had been no fewer than eight very serious outrages perpetrated on our own territory by the Frontier Tribes and other tribes who were supposed to be acting with them. In these circumstances, the Punjaub Government represented to me the expediency of showing those tribes that our means of communication with Kohat could be made practically independent of their permission or protection. With this object Sir Robert H. Davies, who was then Lieutenant Governor of the Punjaub, recommended three measures. He recommended, in the first place, the immediate improvement of the old road between Kohat and Delhi, which had been formerly used for our communications between the two fortresses, but which had not been used while we had the other road communication. He recommended, in the second place, the establishment of a mail-cart service from Kohat, *viâ* Kushalghar, to Rawul Pindi. In the third place, he recommended in connection with this mail-cart service the substitution of a boat-bridge over the Indus for the then existing ferry, which had been found very uncertain, and which was insufficient for the passage of the mail-cart. Well, all those measures were, I believe, simply a revision to the means of communication which had formerly existed with Kohat before the opening of the road across the tongue of territory which was closed by the hostility of the Durani Tribes. In addition to those measures, the principal military and political authorities at Peshawur had urged upon me the expediency of a military expedition to Thull for the purpose of active operations against the recalcitrant tribes. That was the situation I had then to deal with, and, in doing so, it appeared to me that all three measures which I have mentioned—that is to say, the improvement of the road from Kohat to Delhi, the re-establishment of the mail-cart service, and the re-construction of the bridge of boats—might be sanctioned or carried out, in compliance with the suggestion of the Punjaub Government; but with regard to the proposed military expedition, I am of opinion that it was not expedient at that time to sanction it, and I will tell your Lordships why. It appeared to me that at the time there was a very unfortunate, but a very marked, predisposition on the part of certain influential parties and persons in England to attribute, upon any conceivable pretext, to the Government of India certain very bellicose propensities which we were certainly very far from entertaining towards neighbours very much more important than these Frontier Tribes. Therefore, though, in ordinary circumstances, I should have regarded this proposed expedition as a very natural, a very proper, and a very efficacious measure, still, having regard to what I considered the relations of the whole situation I was dealing with, it appeared to me that it was not expedient for the Government of India at that time to sanction any military movement not absolutely indispensable which might possibly have the effect of giving even the faintest pretext for those most deplorable and mischievous impressions with regard to our policy. We were most anxious to avoid giving even the shadow of any sort of provocation to the ill-will of the Ameer of Cabul, who had long previously assumed an attitude towards the Government of India which was very ambiguous, very sinister, and, short of actual hostilities, very hostile, and at a time when the whole Eastern Question was under the consideration of a European Congress at Constantinople, with results which, of course, we could not foresee or fore-reckon. Well, that was my view of the measure on which I had to give my decision. But, before finally acting on that view of it, at least in reference to the proposed expedition to Thull, I thought it advisable to refer my view to my Military Colleague, Sir Henry Norman, whom I had left as President of the Council during my absence, and who had, during that time, reached Calcutta with his other Colleagues in Council. These are the terms in which Sir Henry Norman replied to me from Calcutta on the 3rd of December, 1876—

> "The opening of the mail-cart again from Kohat to Rawul Pindi, improvement of the road, and construction of the bridge of boats over the Indus on that route will be beneficial. Your Lordship's resolution not to send a detachment to Thull in the face of the advice to do so from influential quarters was, if I may venture to say so, admirable. What was actually ordered is desirable, and can have no bad effect."

Perhaps I may be allowed to mention, further, that, so far from collecting a large army, or any army at all, on our Afghan Frontier, either at that time or any subsequent time until we were in open hostilities—forced upon us by the conduct of the Ameer—I, in the year referred to by the noble Duke, rescinded the order issued by the Punjaub Government for the employment of troops for the enforcement of its blockade against these tribes. I gave my sanction to the augmentation—it was not a large augmentation—of the ordinary police force upon that Frontier. I also sanctioned the issue of smooth-bore arms and ammunition to one or two villages of our own on that Frontier, which were specially exposed to raids and depredations by those hostile tribes, and which, in the opinion of the local authorities, it was extremely desirable to furnish with means of defending themselves against any hostile attack, because I need hardly remind your Lordships that that part of the Frontier is very wide, and the defensive force employed upon it is comparatively small. All those measures were carried out on the express and repeated recommendations of the Punjaub Government, and they were by that Government reported most fully in detail, and officially, to Her Majesty's Government in a despatch from the Governor of India dated March 9, 1877. I do not know whether that despatch has ever been published, as it dealt with purely local circumstances. It is not a secret or confidential despatch, so far as I know; and I have no doubt that the noble Duke will find it in the archives of the India Office. I trust I have said enough to satisfy the noble Duke that in the ardour of his search for evidence of design in phenomena which are really of the commonest and most ordinary character, his acute and powerful intellect—and it is an acute and powerful intellect in the treatment of any subject to which it is addressed, but I wish it was not so frequently addressed to the denunciation of crimes which I have not committed—I trust I have satisfied him, and that he himself will see it, that for once he has been misled, as many other acute and powerful intellects have been misled, by the fatal influence of a preconceived theory. But in answering the question of the noble Duke—and it is one which I am most anxious to answer fairly and completely—perhaps it is only fair that I should not altogether leave out of mention another fact, totally disconnected with the circumstances to which he has referred; but which, for all I know to the contrary, in a time which was literally teeming with misrepresentations, alarming rumours, and I might even say personal calumnies, may probably have given rise to gossiping surmises and conjectures; and if those surmises and conjectures did reach the noble Duke at that time, I do not suppose he was in a position to verify them, and they may have tended to confirm those impressions which have excited his long-continued anxiety. It is undoubtedly true that at that time—and I must ask your Lordships to remember what were the circumstances of that time, how uncertain they were, how critical they were, and how anxious they were—I did deem it my duty, as the Viceroy of India, to endeavour to render myself personally cognizant in some detail of the actual condition and efficiency of our Indian Army; and with that view I addressed, most confidentially, to my chief military advisers, certain questions, to be dealt with only on paper, in reference to the commissariat, transport, and other branches of our military organization, which I feared might possibly be found to be defective should they hereafter be called upon for active service. I need hardly tell your Lordships that these were simply the ordinary inquiries which every vigilant Government is bound from time to time to institute amongst those departments; and that they did not involve any public action, any movement, any concentration of troops, or anything which by any possibility could be construed as a menace or demonstration against any foreign Power. I shall only add that I conceived then, and I conceive still, that in making those inquiries I was simply performing one of the plainest and most imperative duties incumbent on me as Governor General of India.

The Duke of ARGYLL: My Lords, the noble Earl has taken, I think, a somewhat unusual course. I received from him the day before yesterday a communication saying that he would make a personal statement to the House on the subject of the military bridge of boats over the Indus, but without giving any date or any indication as to when he would make that personal statement. I concluded without doubt that it would be in the course of the observations which he would address to your Lordships when moving the Resolution on the question of Candahar, which he is to submit to the House on the 24th of this month. Under that impression, I returned an immediate reply, thanking the noble Earl for his courtesy, and I immediately set myself to collect and tabulate such evidence as might be relevant with regard to the statement which I had made—or rather, I ought to say, with regard to the statement which was implied in the Question I attempted to answer. These inquiries have only proceeded one day. I only got the Notice of the noble Earl the day before yesterday, and I have employed the intermediate time in making inquiries as to the circumstances connected with the bridge of boats in question. My Lords, so far as I have yet gone they are entirely confirmatory of the impression at which I had originally arrived; and I have heard with unfeigned astonishment the statement just made by the noble Earl. I can only say that I think the noble Earl has forgotten certain things which passed at that time. In these circumstances, I think it will be more respectful to the noble Earl and more respectful to your Lordships' House that I should take into careful consideration the statement which he has made to-night, and that I should on a future occasion and on special notice state to the noble Earl and explain to the House the grounds on which I venture to think the noble Earl has not given a complete explanation of all the circumstances connected with that celebrated transaction. On this occasion I will only say this—that the noble Earl has made a mistake in dates in referring to what he calls the preconceived opinions and the anxiety of the country, and fastening upon him imputations, or ascribing to him motives, which were far from his mind. The noble Earl appears to have forgot that all these operations of his and threatening of Shere Ali were words and deeds that were conducted for many months—I think for 18 months or two years, certainly for more than a year—before a single question was asked in this House, or reference made as to embarrassing the Government or implying any accusation against the noble Earl. The operations upon the Indus, the violent threats issued by the noble Earl against Shere Ali, took place between May and October, 1876, and I put my Question to the noble Marquess (the Marquess of Salisbury) not in 1876, but in July, 1877. The noble Earl and his Government, and the Government of that time, had absolutely free course in all their operations connected with Afghanistan. Nobody interfered with them either in this or in the other House; and it was not until the country and Parliament began to awake to the serious consequences likely to ensue that I ventured to put the Question. The noble Earl is, therefore, completely mistaken in supposing that I had any preconceived opinion. I had no preconceived opinion; and when I come to make my counter-statement, I hope I shall be able to make good to the House and to the noble Earl sufficient grounds for the suspicion I then entertained, that the operations on the Indus were part of the foreign policy of the Government in regard to our North-Western Frontier.

THE EARL OF BEACONSFIELD: My Lords, I do not object to the course proposed to be taken by the noble Duke; but I think it would have been just, if not generous, had the noble Duke acknowledged the completeness with which my noble Friend treated the subject introduced into your discussion last week by the noble Duke himself, and not in a manner usual in debate in this House. I must recall your Lordships' attention to the fact that the noble Duke has made no answer whatever to the statement of my noble Friend. The noble Duke has told us that he will make a statement afterwards; and he is so confident of the result of his researches, which have not yet been made, that he has already arrived at a conclusion. I confess I do not predict from that statement the candour for which I would willingly give him credit. I am afraid he does approach this subject with a degree of prejudice and passion which I am sorry that one so distinguished and capable should extend to a matter of Imperial interest. With regard to the step taken by my noble Friend in vindicating himself from the charge made against him by the noble Duke, I think it a step discreet and wise, and which was adopted in due deference to the convenience of your Lordships. Because I think, if we are to have a debate on the real question of the policy or impolicy of retaining Candahar, we should approach that subject with great difficulty, and arrive at a conclusion little satisfactory to your Lordships and the country, if it were to be mixed up with the vindication of the Government of my noble Friend, which must cover a period of nearly five years. I repeat, then, that, in my opinion, it was discreet of my noble Friend that he should disencumber himself of these episodes, which it would have been most inconvenient for your Lordships to have attended to, and that he has relieved us from considerations which would have inconveniently interposed and interfered with that judgment which I hope the House will exercise in arriving at a conclusion on the question of the detention of Candahar.

EARL GRANVILLE: The noble Earl who has just spoken has approached this subject with a warmth which I do not think it calls for. I am not going to continue this discussion, which is of a somewhat irregular character. My recollection is to this effect. A few days ago the noble Earl (the Earl of Lytton) asked me a Question about certain Papers—whether, on behalf of Her Majesty's Government, I was prepared to present them or not. He made rather a long preface to that Question, and, in answer to his observations, my noble Friend behind me (the Duke of Argyll) put two questions of a rather pointed character. The noble Earl gave no answer to these questions at the time, which was within his discretion. Nor did the noble Earl do so next day; but he gave an indefinite notice individually to my noble Friend behind me that he intended at some time or other to make a personal explanation. I do not know whether it is the intention of the noble Earl to make another personal explanation about the other question that my noble Friend put to him—namely, what was the authority on which he stated that Russia was ready to join this country in the destruction of Afghanistan; but if he does, it would be very much to the convenience of the House if he would give a general Notice of his intention, so that we should know on what day we should come to listen to, or take part in, the discussion. I quite agree with the noble Duke that he should not at once deal with the question, but should take time to consider the information which is in his collection, before attempting any complete answer to the noble Earl (the Earl of Lytton); and I entirely concur with the noble Earl (the Earl of Beaconsfield) that in considering the main question, as to whether we shall retain Candahar or abandon it, the less personal recrimination we have introduced the better, and that the merits of the question should alone be considered.

ALKALI, &c. WORKS REGULATION BILL—(No. 29.)

(*The Marquess of Huntly.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE MARQUESS OF HUNTLY, in moving that the Bill be now read a second time, said, that there had been already a good deal of inquiry and legislation on the subject. Acts dealing with it were passed in 1863, 1868, and 1874. There had been a Committee, under the late Lord Derby, to inquire into it, and there was a Commission in 1878. Parliament, in dealing with the question, had proceeded tentatively, not being desirous of unduly restricting enterprize, or imposing any heavy burden on the manufacturers, but with the view of correcting the damage done by noxious vapours and acids, in so far as remedies could be found. The usefulness of the Acts that had been passed was agreed to both by manufacturers and the inhabitants of the districts in which the works were situated; but there was a general desire to enlarge the usefulness of those statutes, and include other works from which noxious gases were evolved, and to bring them under regulation. The Report of 1878 recommended that a considerable number of manufactures should be included in the restrictive legislation. Briefly, the provisions of the Bill were—firstly, it consolidated the existing Acts; secondly, it subjected sulphuric acid works to a test restricting the escape of acid gases from them; thirdly, it provided a separate power for inspection of salt works from brine; fourthly, it insisted upon the registration, on payment of a fee, for all alkali works and the scheduled works. As regarded the scheduled works, the object aimed at had been to touch the industries which admitted of a remedy, and to secure a substantial improvement without over-burdening the manufacturer. Under the Act of 1863 the muriatic acid was to be condensed to the extent of 95 per cent. The Act of 1874 was more stringent. Clause 3 of the present Bill maintained the test of 1874 as regarded alkali works—(*a*) that to the satisfaction of the Chief Inspector the muriatic acid evolved must not contain more than one-fifth part of a grain to each cubic foot of air, smoke, or chimney gas escaping from works to the atmosphere; the Bill adds the further test that (*b*) of all the acid gases evolved in the process of manufacturing the total acidity in each cubic foot of air, smoke, or gas escaping into the chimney or into the atmosphere must not be more than four grains of sulphuric anhydride. Clause 5 provided that alkali waste and drainage therefrom, so long as they contained any sulphide, should not come into contact with any liquid containing acid; and that any work in which acid was produced should be carried on in such a manner that the acid should not come in contact with the alkali waste. The sanitary authority, at the request of the owner of the work, at his expense, was to provide a drain or channel for carrying off acids. Clause 6 prevented deposit of alkali waste on land without the best practicable means being used to prevent nuisance. By Clause 7 a new power was given to bring all works named in the Schedule under regulation, and providing, as before stated, for the condensation of acid gases in the case of sulphuric acid works. Clause 9 placed salt works under a milder form of inspection. Under this clause inspectors might inquire as to the gases evolved in any works for extraction of salt from brine, and the Local Government Board might issue Provisional Orders, to be confirmed by Parliament, requiring owners to adopt means to prevent escape, and limit the amount or proportion of sulphurous or muriatic acid evolved. By Clause 10 all works touched by the Bill, except salt works, were to be registered. Clause 11 provided that, in future, no works were to be erected without being furnished with appliances to carry out the purposes of the Act. Clause 13 embodied the existing clauses for the appointment of Inspectors by the Local Government Board. But in Clause 15 there was an extension of power; it authorized Inspectors to enter and inspect any place where alkali waste was treated or deposited, or where any liquid containing acid was likely to come into contact with alkali waste, but not in such a way as to interrupt the process of manufacture. Under Clause 18 the sanitary authority might apply for an additional Inspector, on paying not less than one-half of his salary. Clause 27 provided that any person might bring an action against several persons —individually and separately—for any nuisance arising from noxious and offensive gases; and further actions might, in future, be brought in County Courts. There were not included in the Bill many works recommended by the Royal Commission to be placed under inspection only; because it was considered that where the Government were not prepared to adopt a test regulating the escape of noxious vapours, or any practicable means for restricting them, such inspection would be unnecessarily vexatious to the manufacturers and expensive in practice. He should, doubtless, be asked why the recommendation of the Commission as regarded coke ovens was not adopted. The reason was that coke ovens emitted black smoke — although, to a small extent, acids might be evolved in the smoke— and that that could be touched under the Public Health Act, 1875. The Bill included cement works among the scheduled ones not recommended by the Commission.

Moved, "That the Bill be now read 2ª."—(*The Marquess of Huntly.*)

VISCOUNT MIDLETON admired the ingenuity with which the noble Marquess had endeavoured to persuade their Lordships that in introducing this Bill he was really introducing a comprehensive measure that would settle the difficult questions with which it was to deal. He was afraid, however, he could not congratulate him upon his success. The matter was not before their Lordships for the first time; but 15 years ago it attracted attention, and had been almost continuously before their Lordships in one way or another since. With regard to the Bill, it was to be judged rather by what it did not than what it did do. The noble Earl (the Earl of Beaconsfield) had stated that the alkali trade afforded one of the most delicate tests of the revival or decadence of the commercial powers of the country, and that statement had been fully borne out by the facts of the case. The amount of capital invested in the alkali trade two years ago considerably exceeded, he believed, £2,000,000, and it had largely increased since. He admitted the extreme delicacy of attempting to deal by legislation with interests so large and so widely diffused. They had to consider the very great amount of capital invested, and also the great danger there was, if they imposed restrictive legislation, of destroying the margin of profit, and thus driving the trade abroad. At the same time, there were considerations of public utility and public welfare which must override those others if a fair case could be made out. As the law now stood there were but few trades affected by the Acts, alkali works, and works in which copper was subjected to the wet process. To these it was proposed to add by the Bill, cement works, chemical manure works, gas liquor works, nitric acid works, sulphuric acid works, works for the treatment of sulphate of ammonia, and one or two others which all required to be dealt with. As far as the Bill went its general principle might be accepted. No doubt a genuine attempt had been made to correct the evil, so far as they could do so, by scientific processes applied to the exit of gases; and it certainly would be an important advantage for the Inspector under the Local Government to be able to deal with the question of acid drainage and the waste from alkali works, which were alike destructive to vegetation, and which were most offensive to smell and a grievous nuisance. There was one trade embraced in the Bill, but which was put upon another footing, and that was salt works, which were put under inspection merely. That subject formed one of the recommendations of the Commission. There was no doubt that a large amount of the evil which arose from salt works could be cured; but it could only be by an amount of expenditure which would render it extremely difficult to carry on the business, because it would totally destroy the small amount of profit that would enable them to compete with the foreigners, and he therefore thought it quite right to except those works from stringent regulation to which others were subjected. The Bill of the noble Marquess was infinitely weaker than the one introduced in the last Session of Parliament by Mr. Sclater-Booth and than the recommendations of the Commission. In fact, the Bill now presented was only an emasculated copy of that of 1880, and left out 12 trades altogether which the Commissioners specially recommended should be dealt with—one of the most deleterious of which was the treatment of copper by the dry process. Potteries and glass works also emitted distinct noxious gases, but at so high a temperature that no process had yet been found to neutralize them. The Commissioners, therefore, recommended them to be placed in the category of noxious trades. They were, nevertheless, quite ignored by the present Bill. A still more striking omission was that of coke ovens, which were recommended to be dealt with by the Bill of 1880, but entirely disappeared from this Bill. This was purely a matter of expense. He could not help thinking that some of the works the Commissioners, of whom he was one, inspected were swept and garnished for the purpose. The very best of them were those of Mr. Lowthian Bell, where everything was done that science could effect for the destruction of the noxious gases; but, for the most part, the works were ill-ventilated, and every species of nuisance was collected around them, and the expense of putting them into a proper condition would be considerable. There was one point of view from which a Bill of this kind became a hardship, unless it was a complete Bill. There was no doubt that the great mass of the trade had endeavoured to comply with the provisions of the existing Act at great personal sacrifices. The object was to bring up the manufacturers who did not do their duty to the level of the best managed works. Complaint was made with justice by some that heavy penalties were imposed on them, while many persons conducting kindred industries were allowed to escape scot free. That was an injustice that would be perpetuated by this Bill. As many as 12 trades were left entirely outside the Bill; and it was refused to put them even under inspection. The Bill, generally speaking, seemed to him to smack far too much of the spirit of compromise, which implied that the Government could not count on the majority which they had in the other House to enable them to carry the proposals which they would wish to have made. He thought any measure on this subject should be fair, full, and comprehensive, and this Bill had none of those qualities. He trusted that the clause providing for cumulative liability would be rigorously maintained, though, from recent experience, he very much doubted whether it would. With regard to inspection, he objected to anything like local Inspectors, and he thought the proposal to keep their appointment in the hands of the Local Government Board a good one. He thought, however, the time had come when they should cease to proceed in this matter in what he would call a tentative manner, and when any legislation on the subject of inspection should proceed on more settled lines. As one who had studied this question, and who, having been on the Royal Commission, had formed an impartial opinion on it, he was bound to say that he did not think the measure would be accepted as a settlement of the question. He thought the result would be to cause an outcry similar to that which was raised in 1876 for fresh legislation, another Address to Her Majesty praying for the issue of another Commission, and that they would be obliged to bring in another Bill. They ought not to make the law less stringent than the recommendation of the Commissioners; and, in respect specially to coke ovens, unless he received some assurance from the noble Marquess, he would move that it be an Instruction to the Committee to include them.

LORD ABERDARE said, that having been, to some extent, responsible for the issue of the Commission which inquired into that subject, and having examined the matter at some sacrifice of personal comfort and almost of health, he wished to make a few remarks. That question had been brought some years ago before their Lordships' House by the most rev. Primate (the Archbishop of Canterbury), and on that occasion he had himself ventured to suggest that nothing further should be done in the direction of interfering with those noxious trades until after a thorough inquiry had been instituted with the aid of eminent scientific men. A Commission was subsequently issued, to the members of which were joined three chemists of the greatest reputation and ability, who were conversant with the application of chemistry to trades and manufactures. The Commissioners were charged with the duty of taking a comprehensive view of the whole subject. The present Bill, in his opinion, contained some very decided improvements on its predecessors, as might fairly have been expected. As a Consolidating Bill, it would effect an improvement, the value of which all those who had anything to do with the administration of justice would recognize. It dealt in a better manner than had been done before with one of the most noxious of vapours, sulphureted hydrogen, which extended sometimes for eight, nine, or ten miles, making life almost impossible. The measure was also, in some respects, more stringent than the previous one. The Commission had proposed to deal with those nuisances under different classes. They found the works carried on with various degrees of care; and where they felt themselves justified in requiring the proprietors to use the best known processes for remedying the nuisances arising from their operations they recommended the adoption of that course. In regard to another and very considerable class of works, all inflicting nuisances, they did not think they were in a position to insist on the use of the best known processes where it would involve the entire stoppage of the works. But it was generally admitted that there would be much advantage in subjecting those works to inspection, with a view to their being carried on with the smallest practical amount of mischief to the neighbourhood; and many of the manufacturers themselves concurred in that view. They objected, indeed, to the local Inspectors as not having such scientific attainments as would justify them in interfering with processes of great nicety; but as long as they were satisfied that the Inspectors possessed adequate scientific knowledge they did not object to their supervision. The Commissioners had proposed that a very large number of works should be placed under inspection. Their object was not only that by inspection the works should be kept up to the latest discoveries of modern science, but as those discoveries became known, they recommended—and the late Government adopted their recommendation—that on the Local Government Board being satisfied that by the adoption of some scientific process the injury which was devastating a whole district might be prevented, it should issue a Provisional Order and include the works under the operation of the Act. Many towns were so bound up by interest with manufacturing industry that their authorities were afraid of inflicting injury on the manufacturers by imposing on them the expense of providing apparatus for consuming their own smoke. He was sorry to see that the Government, with the opportunity now given them, had neglected the subject of coke ovens. It was no answer to say that the subject was sufficiently dealt with by the ordinary law of the land; because there was hardly a manufacturing town in England that put the law into operation, the manufacturing interest and influence being so powerful as to prevent its general adoption or enforcement. It was wrong to suppose that the injury done by coke was confined to the black smoke, because much sulphuric acid was also generated to the great injury of animal and vegetable life. He advised his noble Friend to consult with the President of the Local Government Board, to consider, after what had taken place, if a little more effect could not be given to the recommendations of the Commission. One of these, he would remind him, was that there were some 12 trades in respect to which it would not be safe to interfere, but which ought to be periodically inspected with a view to future legislation.

THE ARCHBISHOP OF CANTERBURY, in supporting, three years ago, the Motion for a Royal Commission as originally moved by the noble Duke the late Lord Privy Seal had regretted that it did not extend to the River Thames. He did not, however, on that account lose his interest in the question generally, and was glad when the scope of the Commission was extended; and now, on behalf of his neighbours, he was sorry that no remedy was to be applied in Lambeth. The inconvenience he himself suffered in a large and commodious house from noxious gases made him specially alive to the far greater inconvenience and injury to health which the poor people around him must suffer. He was glad to hear the noble Viscount intimate that in Committee he would propose some further extension in the direction in which the Bill went. All people who could fled from cities where noxious vapours were emitted, and saw nothing of the injury done by these works to the poor. In London itself the poor gathered in one place and the rich in another; and thus those sympathies and amenities which would naturally arise from their being brought into juxtaposition were lost—a state of matters which might yet become a great social question. This was a subject in which the rich and the better circumstanced could show their interest in the poor, whose health was so prejudiced by the evils which this measure sought to remedy.

THE EARL OF KIMBERLEY said, he could remember when this subject was first brought before that House by the late Lord Derby, and ever since that time great interest had been taken in it by Members of their Lordships' House. Now, the noble Viscount opposite (Viscount Midleton) complained that this was not a comprehensive measure. He (the Earl of Kimberley) imagined that every Government would be glad if it could make all its legislation comprehensive; but it was generally found that in all matters involving considerable interference with trades and business a comprehensive measure was practically impossible. Parliament proceeded, as a rule, and he thought wisely, step by step, building up a system by means of experience, and not by experimental legislation, causing a reaction against their measures which would not be easily remedied. He pointed out that this was a very considerable advance upon previous legislation, and he submitted it ought not to be measured by its provisions, but by what it actually did. The Bill proposed to include six or seven new trades under its scope. There were three trades by which considerable injury was done to neighbourhoods, and which they should be very glad to deal with—he referred to the gases evolved in the manufactures connected with dry copper, with potteries, and glass. Chemistry, however, had not yet been able to discover any process by which a remedy could be applied without interfering in a great measure with the manufactures themselves. He was sanguine enough, however, to believe that in course of time, by the aid of chemists and the wonderful progress in knowledge, some process would be discovered by which to deal with the evils referred to. The most rev. Primate (the Archbishop of Canterbury) would agree with him that while it was of vital importance to secure the health of the people who lived in the neighbourhood of those manufactories, they must also take great care that they were not depriving them of the means of living, by interfering in such a manner as to drive manufactures to a distance. He had been at the seats of great manufactures in this country, and he had certainly felt great pain at the devastation caused by the gases evolved in the manufacturing processes. It was a melancholy thing to see those compelled to live in such an atmosphere; but in this matter of legislation they must be content to make gradual progress. With regard to the concluding remark of the noble Lord (Lord Aberdare), he pointed out that to appoint Inspectors would be very considerable expense, and, besides, it would be awkward to institute an inspection of trades, concerning which they did not enact anything whatever. As to the coke ovens, he was informed that the Sanitary Acts were sufficient for all purposes, if put in operation, and the blame was due only to those who allowed them to remain inoperative. He hoped their Lordships would accept this measure as an instalment of legislation.

THE MARQUESS OF HUNTLY said, that the representations that had been made would be duly considered by the Committee.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Tuesday* the 1*st of March* next.

AFGHANISTAN—CANDAHAR (COST OF OCCUPATION).—QUESTION.

EARL STANHOPE asked the noble Lord the Under Secretary of State for India, If he will state upon whose authority "the entire cost of the occupation of Candahar and the adjacent territory" was estimated by him at not less than £1,400,000 per annum; whether that sum includes the ordinary cost of maintenance of troops within the old Frontier; and, whether he can give, in a general way, the details of the estimate?

VISCOUNT ENFIELD: I am not able at present to give my noble Friend "the authority" which he asks for; but, as the Secretary of State for India stated yesterday in "another place," some details bearing on the Estimate to which reference has been made will be contained in the Papers which he proposes to lay upon the Table. I stated the other evening that I believed, speaking upon what I thought to be reliable data, that the annual cost of occupying the City of Candahar and the posts on the line of communication with our own Frontier had been estimated by competent authority in England at £1,400,000. My noble Friend the Secretary of State has said that this Estimate has been made on the basis of a smaller force than that which is now stationed at Candahar and on the line of communication. The cost of the present force, calculated at the ordinary Indian rate in time of peace, is rather over £950,000 a-year. Taking into account the additional charges, military and political, incident to service beyond the Frontier, it is considered that the whole expenditure would not be far short of double the ordinary Indian cost of a similar force, which would bring the amount to nearly £2,000,000. This rough Estimate is an Estimate of the force required for the occupation of Candahar and its communications. In Lord Hartington's opinion this would be a simple addition to the ordinary military expenditure of India, which, he thinks, would rather have to be increased than diminished in consequence of this measure.

LAND IMPROVEMENT ACTS (IRELAND).

MOTION FOR A RETURN.

LORD HARLECH moved for

"Return by counties of all loans under the Land Improvement Acts granted in Ireland in each year; the amount issued in each county; and the amount remaining unappropriated at the end of 1880: Also, a summary for the whole of Ireland under each of the above three heads, distinguishing the period from the passing of the original Act in 1847 to the end of 1855, and for each quinquennial period subsequently."

EARL SPENCER said, the Government had no objection to the Return asked for.

Motion *agreed to.*

SOUTH AFRICA—THE TRANSVAAL (NEGOTIATIONS).

OBSERVATIONS. QUESTION.

EARL CADOGAN said, that he was reluctant to trouble their Lordships at the present time with the consideration of the Question he had placed upon the Notice Paper; but statements had been made during the last few days, both by the Prime Minister and the Under Secretary of State for the Colonies, in "another place," which had excited considerable attention, and which had induced him to invite the noble Earl the Secretary of State for the Colonies to give some further explanation with regard to the negotiations which had been going on between Her Majesty's Government and President Brand, the President of the Orange Free State, which, if he was rightly informed, had been continued up to a very recent period. Their Lordships were aware that for some time past—he believed since the beginning of last December—a Correspondence had been going on between Her Majesty's Government and the President of the Orange Free State with reference to the terms that would be granted to the Boers. It was not necessary for him to read to their Lordships all the communications and telegrams which had passed on the subject, which were to be found in the Papers which had been recently laid upon the Table of the House. He might, however, state that the first communication reached the Government on December 30, 1880, and was acknowledged on January 1, 1881. A second telegram, communicated by Mr. Blyth, the Consul of the Orange Free State in this country, on the 10th of January, was answered by the Secretary of State, who stated that he "did not despair of being able to make a satisfactory arrangement." Further telegrams and despatches were exchanged till, on January 26, in reply to a telegram from President Brand asking whether—

> "It is not possible to offer to the people of the Transvaal, through the High Commissioner, Sir Hercules Robinson, certain terms and conditions, provided they ceased from armed opposition,"

the noble Earl stated that "Her Majesty's Government would thereupon frame," not as before stated, merely "a satisfactory arrangement," but "such a scheme as, in their belief, would satisfy all enlightened friends of the Transvaal community." He believed that all noble Lords in that House might claim to be friends of the Transvaal community, even although we had unfortunate differences with them at this moment; but whether they were enlightened or not would depend upon the answer which the noble Earl might give that evening. There was only one more communication of the date of January 29 in the Blue Book; but on Thursday, February 10, Sir George Campbell, in the other House of Parliament, asked the Prime Minister—

> "Whether Her Majesty's Government will now offer to the Boers of the Transvaal the terms which they consider to be just, instead of enforcing unconditional submission before their terms are announced?"

In reply to that Question, the Prime Minister stated that a second telegram had been received, which was as follows:—

> "In answer to a telegram from Sir George Colley stating that President Brand urged him to state the nature of the scheme mentioned in the previous telegram, and to guarantee that the Boers should not be treated as rebels, if they submitted, Sir George Colley received an instruction of which I shall give the substance. On the 8th instant, from the Cape, he was instructed to inform President Brand that Her Majesty's Government will be ready to give all reasonable guarantees as to the treatment of the Boers after submission, if they desist from armed opposition, and that the scheme will be framed with a view to the permanently friendly settlement of the difficulty; to which he was to add that Her Majesty's Government would be glad if President Brand would communicate to the leaders of the Boers this as well as the former message."

The right hon. Gentleman added that it was not certain whether President Brand had communicated those statements in a regular and official manner to the Boers. On Friday last, however, when another Question was put to him on the subject, the right hon. Gentleman stated that—

> "Her Majesty's Government had formally and distinctly requested President Brand to make their communications known to the Boer leaders."

He wished to put the House in possession of the substance of all these communications before he put the Question of which he had given Notice to the noble Earl. They must all deprecate the ruinous war which was unfortunately being waged against our brethren in the Transvaal; they must have watched with approval the steps which the Government had taken at the commencement of the hostilities to bring them to a peaceful and an early conclusion; and they must also feel grateful to Her Majesty's Government for the manner in which they had met the overtures of President Brand; but he could not help saying that since the last despatch of the 26th of January was sent the circumstances of the case had undergone a considerable change. Up to that time their policy of conciliation must have been considered proper; but now that the hostilities had assumed an unsuccessful character on the side of our arms, he feared that any attempts at negotiation with the leaders of the Boers might have the appearance of suing for peace. That was a proceeding which he need not remind their Lordships was unknown to British statesmen and commanders. As lately as the 8th of February, and after news had been received of the disaster at Laing's Nek and subsequent disasters, it was clear that communication was kept up with President Brand, who was, in turn, asked to make known the effect of these representations to the leaders of the Boers. He felt it his duty to warn the Government against the danger they would incur in continuing negotiations with the Boers in view of the present aspect of military affairs in the Transvaal. There was a danger that the Boers might continue successfully the operations now proceeding against us, until they saw fit to suspend hostile operations, when they might claim from the noble Earl terms which it was said had been offered to them, but the nature of which had not been made known; and they might do this at a time without our having had an opportunity of repairing the injuries inflicted upon ourselves. The second danger he apprehended was that, whatever might be the result of the war, when the war was brought to a conclusion the noble Earl would find that the Boers of the Transvaal would have a right to claim from him a settlement which he might have offered before hostilities commenced, and which might have been satisfactory at the time; but which would not be satisfactory when the hostilities were brought to a close. He had no wish to embarrass Her Majesty's Government at the present time, and he sincerely hoped that before long some means might be found of bringing the war to an end, with credit to ourselves, and with advantage to those with whom we were in conflict. No one would rejoice more than he would if means were found for such a communication. He must express a hope that Her Majesty's Government, while desirous, as they all were, to obtain peace on honourable terms, and not to press too hardly on those with whom we were fighting, would not be unmindful of the credit and honour of the country, which he must confess would, in his view, be in a considerable degree imperilled if the Government persisted in a course of communication with the leaders of the Boers at a time when our arms had not met with the success which was hoped and anticipated. The noble Earl concluded by asking the Secretary of State for the Colonies, Whether he will state to the House the full text of the despatch referred to by the Prime Minister on Friday last, in which Her Majesty's Government "formally and distinctly requested President Brand to make their communication known to the Boer leaders;" whether negotiations of the same character are still going on between Her Majesty's Government and the leaders of the Boers; and, if so, whether any such correspondence will be at once communicated to Parliament?

THE EARL OF KIMBERLEY: My Lords, I am as anxious as the noble Earl for the honour of the country; but he must allow us who are responsible to form our own opinion and take our own course as to the manner in which the honour and the interests of the country can be best maintained. As regards the Question of the noble Earl, it is in itself very simple, and a very simple answer might be given to it. My noble Friend has asked whether I would state the full text of the despatch which had been sent to President Brand. The noble Earl, however, has himself read the whole of the despatch, and every word of it has also been read by Mr. Gladstone in the House of Commons. Of course it will be included in any Blue Book upon the subject that may be laid upon the Table. The noble Earl read also the previous despatch, and he stated that he thought our proceedings had rather the appearance of suing for peace.

EARL CADOGAN: Might have the appearance of suing for peace.

THE EARL OF KIMBERLEY: If the noble Earl will look at the terms of the telegram itself, he will see that it certainly could not bear the character which he had given to it. The telegram in question was that of the 26th of January, to Sir George Colley, in answer to a telegram from President Brand, which was communicated by the Consul of the Orange Free State in London, and was to this effect—

> "I have to instruct you to inform President Brand that if armed opposition should at once cease Her Majesty's Government would thereupon endeavour to frame such a scheme as, in their belief, would satisfy all enlightened friends of the Transvaal community."

Your Lordships will observe that the condition laid down is, "if armed opposition at once ceases." This is not suing for peace on our part; but it is giving the Transvaal Boers an opportunity of placing themselves in such a position as would be honourable to us and advantageous to themselves. The noble Earl will observe that these propositions have arisen from communications voluntarily made to us by President Brand, and not sought for by us; and we have answered them in a friendly spirit, due to the friendly tone President Brand has adopted, and to the very friendly action he has manifested throughout this unfortunate business. We could scarcely have done less, either with regard to President Brand himself or the friendly relations which have been maintained with the Orange Free State. The last communication to which the noble Earl referred, and which has been read by

Mr. Gladstone in the House of Commons, followed naturally on the other communication. President Brand asked for further information on a point as to which it was natural he should feel anxious—namely, whether guarantees would be given, in case armed opposition should cease, as to the safety of those taking part in it, and the answer was that reasonable guarantees would be given. There is nothing, I feel, which I have reason to be ashamed of in these communications, which will, of course, be included in the Papers placed before Parliament. In answer to the noble Earl's further Question—

> "Whether negotiations of the same character are still going on between Her Majesty's Government and the leaders of the Boers; and, if so, whether any such correspondence will be at once communicated to Parliament?"

I have to say that further communications are going on; but I am not in a position to make any statement on the subject to the House at present.

THE EARL OF BEACONSFIELD: My Lords, I am sure none of your Lordships would wish that Her Majesty's Government should be put in a position inducing a sentiment of shame. I am sure that was not the wish of my noble Friend in putting his Question, which was one for explanation, and not for the purpose of shaming the Government. What is wanted is information as to the position of this country when Her Majesty's Government are negotiating and making war at the same time. To enter into negotiations when you are waging war unsuccessfully is a perilous process; and I think, therefore, that my noble Friend was justified in the course he has taken in asking for explanations. It is all very well to talk about making the cessation of armed hostility on the part of the Boers a condition of peace; but how can you lay down as a condition that armed hostilities should cease when you yourselves are suffering under a military disaster; and when there is a possibility that those who are authorized may enter into conclusive negotiations without any consideration of the military disasters which, during the interval of negotiations, may have occurred? The possibility of that is one which I am not at all surprised that my noble Friend should regard with great distrust and apprehension. It is with that feeling that my noble Friend made his inquiry, and I hope good will result from it.

House adjourned at half past Seven o'clock, to Thursday next, half past Ten o'clock.

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HOUSE OF COMMONS,

Tuesday, 15th February, 1881.

MINUTES.]—SELECT COMMITTEE—Railways, *appointed;* Public Accounts, *nominated.*

PUBLIC BILL—*Committee*—Protection of Person and Property (Ireland) [79]—*Fourth Night*—R.P.

QUESTIONS.

POLICE SUPERANNUATION—LEGISLATION.

SIR HENRY SELWIN-IBBETSON asked the Secretary of State for the Home Department, Whether his attention has been directed to the Police Superannuation question, and to the Report of the Committee on that subject in 1877; and, whether it is his intention to take any steps during the present Session to carry out the recommendations of that Committee?

SIR WILLIAM HARCOURT, in reply, said, that the subject had been under his consideration, and he should be very glad if the Government had the means of introducing a measure for the purpose of carrying out the recommendations of the Committee during the present Session.

CRIMINAL LAW—CASE OF THOMAS BECKETT.

MR. JACOB BRIGHT (for Mr. C. M'LAREN) asked the Secretary of State for the Home Department, Whether, with reference to the case of Thomas Beckett, tried on Saturday at the Leeds Assizes for the wilful murder of his wife by cutting her throat in his own house, his attention has been called to the prisoner's own statement, read in evidence, giving a minute account of the murder, and containing the words "I meant to do it—I had made up my mind to do it;" to the charge of the learned judge, who referred to the crime as one committed in cold blood; to the verdict of manslaughter; and to the sentence of four days' imprisonment, dating from the opening of the assizes, by virtue of which the prisoner was instantly discharged; whether he is aware of the strong sentiment of educated Englishwomen against the leniency with which crimes of violence against the person of women are habitually viewed by judges and magistrates; and, whether, if such a verdict and such a sentence as the above are, giving full weight to all the circumstances of the case, in accordance with the Law of England, he will consider the necessity of introducing a measure to amend that Law?

SIR WILLIAM HARCOURT: Sir, the Secretary of State for the Home Department has no authority to interfere with or to review the acts of a Judge or of a jury in the discharge of their duties, or to censure them for undue leniency or severity in the punishment of crime, his functions being necessarily confined to giving advice to the Crown upon the exercise of its Prerogative of mercy. It would not, therefore, be proper for me to express a personal opinion as to the character of the sentence alluded to in this Question, it being a matter that does not come within the sphere of my duty. As to the second part of the Question, my hon. and learned Friend (Mr. C. M'Laren) expects too much from me when he asks me to vouch for—

> "The strong sentiment of educated Englishwomen against the leniency with which crimes of violence against the person of women are habitually viewed by judges and magistrates."

I have a letter from the learned Judge who tried the case, in which he describes the conduct of this unfortunate woman. He says, that having committed adultery, which was condoned by her husband, she insisted upon returning to her paramour. On her way to him her husband remonstrated with her, and she thereupon stabbed him. Well, I do not think such conduct as that calls for much sympathy from the educated women of England. As far as I am aware, there is no defect in the law which requires amendment. In the case in question the law would have sanctioned any amount of severity of punishment which the verdict of the jury and the sentence of the Judge had pronounced; and I know no means by which juries can be compelled to deliver verdicts, or Judges to pass sentences, other than those that the dictates of their own judgments prescribe.

CRIMINAL LAW (IRELAND)—ALLEGED DETENTION OF WITNESSES.

MR. REDMOND asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that on the 16th of August 1880 Margaret Cashin, aged fourteen years, and Mary Cashin, aged nineteen years, both of Shanbough, co. Kilkenny, were taken by the police, without summons or warrant, and conveyed to New Ross, where they were privately examined by Mr. George Bolton, Crown Solicitor, in reference to the murder of Mr. Charles Daniel Boyd; whether they were kept in a hotel in New Ross for four days, and then conveyed in charge of the police to Kilkenny, where on the 21st of August they swore informations before the magistrates, and were duly bound over to appear and give evidence at the assizes on the trial of the persons charged with the said murder; whether they asked at Kilkenny to be allowed to return to their homes, but were refused; whether they were kept in Kilkenny for a fortnight and then removed, still in charge of the police, to Dublin; whether they were detained in Dublin, although their father, through his solicitor, had formally demanded their release, until on the 16th of September the constable who had charge of them was served with a conditional order for a writ of habeas corpus; whether they were then released and sent home on the 17th of September, having been for thirty-two days detained in the custody of the police; and, whether, if these statements are true, he will inform the House upon what grounds these proceedings were permitted or sanctioned?

MR. W. E. FORSTER: Sir, the hon. Member really asks me, not one, but seven Questions; and, consequently, I must be pardoned if my answer is somewhat long. I have received a Report from the authorities of the district on the subject. It states that they had reason to suppose that a number of residents in the neighbourhood of where the murder was committed could give material evidence with reference to the occurrence; and amongst others were two young women, Margaret and Mary Cashin. Their evidence was taken down by the Crown Solicitor; and he, finding it to be important, and believing that considerable excitement was prevalent in the neighbourhood, and that much hostility was felt against witnesses in the case, he thought it necessary, in the interests of justice, that they should be protected from intimidation or the risk of being tampered with; and he accordingly expressed a wish that they should be conveyed to a respectable hotel in New Ross, until they, with the others, were conveyed to Kilkenny, where the magisterial investigation was held, when they swore depositions and were bound over to prosecute. It is not a fact that these young women asked, when at Kilkenny, that they should be permitted to return home and were refused. I do not know how long they remained at Kilkenny; but the committal of the prisoners for trial having considerably increased the excitement with respect to the witnesses rendered it still more necessary that they should be protected, and an order was issued that they should be sent in charge of the Constabulary to Dublin, to remain there until the trial; and this was done as soon as arrangements could be made. They remained in Dublin, voluntarily, with a married sub-constable and his wife till September 13, when their father called and asked that they should be allowed to return home. The matter was referred to the sub-inspector in charge of the district, who, on the following day, wrote an order to the effect that the girls should at once leave with their father if he should call for them again. The sub-inspector added— "It is to be clearly understood that these people are not to be detained against their will." However, the father did not call again; and as they afterwards expressed a wish themselves to go home, arrangements were made, and they were sent to their father on the 17th September. The necessity for protecting witnesses in this case is shown by the fact that both at Kilkenny and New Ross witnesses were assaulted in a violent manner for giving evidence, and, but for the protection afforded them by the Constabulary, would have been seriously injured.

MR. REDMOND asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he can state if these girls were taken into custody before it was known they could give any evidence at all; whether it is a fact that they were detained in custody after it had been found that their evidence was quite immaterial; and, whether they are ready to state on affidavit that they were detained against their will?

MR. W. E. FORSTER: I think after the hon. Gentleman has put seven Questions to me, he ought not to put further ones.

SCOTLAND—THE GENERAL REGISTER HOUSE, EDINBURGH—RE-ORGANIZATION.

MR. JAMES CAMPBELL asked the Lord Advocate, Whether the scheme for the re-organisation of the General Register House, Edinburgh, will come into operation before the close of the present financial year; and, if not, at what date?

THE LORD ADVOCATE (Mr. J. M'LAREN), in reply, said, that it was recommended by the Departmental Committee that the new scheme should take effect from the commencement of the next financial year; and he had no doubt that that recommendation would be given effect to.

CRIMINAL LAW—A DEAF AND DUMB CRIMINAL.

MR. ARTHUR O'CONNOR asked the Secretary of State for the Home Department, Whether his attention has been called to the case of a lad aged 15, deaf and dumb from birth, and reported as utterly incapable of receiving and imparting ideas, who, having been neglected and apparently encouraged in crime by his parents, was sentenced in 1877 to five years in a reformatory in order that he might be taken proper care of; whether the managers of the reformatory having refused to receive him, he is now the inmate of a convict prison, under instruction by a specially retained instructor from a deaf and dumb asylum; and, whether he is prepared to take into consideration the representations of the Directors of Convict Prisons as to the undesirability of his being retained in his present position?

SIR WILLIAM HARCOURT: Sir, I have inquired into this unfortunate case. Every attempt was made to find a suitable institution for this boy; but no institution would receive him. An instructor has been obtained for him from the Royal Association for the Aid of the Deaf and Dumb, and I have the following Report from the chaplain of the prison in which the boy is:—

> "Since he has had the advantage of this instruction, the improvement in his habits, conduct, and character has been most marked. I think his educational progress has been fairly satisfactory; but as yet he is only able to read very easy words. Under these circumstances, I am of opinion that his transfer to another prison would be most undesirable, unless means could be found to continue his instruction."

I think that the best that could be done for the boy is now being done for him.

EDUCATION (METROPOLIS) — CHARITIES OF THE CITY OF LONDON.

Sir HENRY PEEK asked the Vice President of the Council, Whether, having regard to the urgent need of increased provision for middle class education of the children of the clerks, warehousemen, and small traders of the Metropolis, the Government will issue a special Commission to re-organise the charities of the City, in accordance with the recommendations of the Duke of Northumberland's Commission?

Mr. MUNDELLA: Sir, there can be no doubt that the City Charities are, in many instances, grossly misapplied, and that their usefulness might be largely and advantageously extended in the direction indicated by the hon. Baronet. Nothing, however, can be done without further legislation. The Education Department has already communicated with my right hon. Friend the Home Secretary and the Charity Commissioners on the subject; and I hope that some measure will be devised to improve and extend the usefulness of these Charities. That, however, must depend on the state of Public Business.

CRIMINAL LAW (IRELAND)—WHISTLING.

Mr. O'SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that a man named Lee was brought before the magistrates at the Petty Sessions Court at Newcastle, county Limerick, on the 11th inst. for whistling in the streets of that town, and what decision the magistrates came to on the case; and, if any complaint has been made of the conduct of Head Constable Copeland by the people of that district?

Mr. W. E. FORSTER, in reply, said, the hon. Member asked whether a lad had been brought up in Newcastle, in county Limerick, for "whistling," and what was the decision in the case. The magistrates dismissed the case. He (Mr. W. E. Forster) did not object; but really if he was asked Questions about every case in which punishment was or was not awarded, he would have a good many Questions to answer. No complaint was made of Head Constable Copeland. It seemed there were a number of young men in Newcastle, who were banded together, and called themselves "Black Diamonds," who were given to annoying people in the streets. Their principal misconduct consisted in tarring shutters, breaking glass, and assaulting the police. Patrick Lee, the lad in question, was one of a gang, and followed some of the police, and annoyed them by whistling some objectionable air. The magistrates entered no rule in the case, and he thought they did quite right. Of course, if these "Black Diamonds" did make themselves a nuisance, they would have to be put down; but he thought the police might have found some better case to proceed upon than that of whistling.

Mr. O'SULLIVAN asked, amid much interruption, whether any outrages were proved to have been committed by these boys?

Mr. W. E. FORSTER, in reply, said, he did not know; but he thought there were offences committed by them; but he supposed they were not caught.

Mr. M'COAN: Were these offences classed as agrarian outrages in the Returns?

Mr. W. E. FORSTER: Certainly not.

THE MAGISTRACY (IRELAND)—MR. PARKER G. SYNOTT.

Mr. A. M. SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If, at a public meeting reported in the Belfast "Morning News" of the 4th instant, as having been held at the "Diamond," county Armagh, on the 4th instant, Mr. Parker G. Synott, a justice of the peace for that county, expressed himself as follows:—

> "Papacy is the same to-day as it was three hundred years ago. It has the same devilry in it to-day, and it would deceive God Almighty himself if it was any benefit to its adherents;"

whether this gentleman sits as a magistrate at petty sessions, in a district inhabited by a mixed population of Orangemen and Catholics, where there is not a single Catholic magistrate; and, whether this report is substantially accurate; and, if so, whether he will cause to be instituted against Mr. Synott any prosecution for the use of such language?

MR. W. E. FORSTER, in reply, said, he had seen no report of the proceedings at the meeting in question, and had no information on the matter. If the gentleman alluded to had used the expressions attributed to him, he (Mr. Forster) was very sorry for him, for he thought it very unadvisable that objectionable expressions should be used, whether by a magistrate or anyone else. The hon. and learned Member asked whether a prosecution would be instituted against him for them; but he (Mr. Forster) was advised that no prosecution would be likely to succeed, if it was undertaken. He was sorry to say that, in past times, Catholics used very much stronger words towards Protestants, and Protestants used very much stronger words towards Catholics; and he believed the general interpretation of "freedom of speech" was that a prosecution did not follow upon such words.

COMPANIES ACTS—TRINITY COLLEGE, LONDON.

MR. E. CLARKE asked the President of the Board of Trade, Whether any and what decision has been arrived at with regard to the recent application by a Limited Liability Company, having for one of its objects the granting of diplomas, and calling itself Trinity College, London, for a licence from the Board of Trade permitting the Company to omit the word "Limited" from its title?

MR. CHAMBERLAIN, in reply, said, that he had, after careful consideration, come to the conclusion that this Company did not come within the scope of the enactment that enabled the Board of Trade to dispense with the use of the word "Limited" in cases of institutions not for the purposes of gain, but for the promotion of art, science, charity, commerce, or religion. Under these circumstances, he had declined the application. He ought to say that he had that afternoon received a further application from the College, in which it was proposed to restrict its object to the advancement of the art and science of music, and that application was now receiving his consideration.

CENTRAL ASIA—RUSSIA AND TURKEY.

MR. M'COAN asked the Secretary of State for India, Whether there are, in the archives of the India Office (or of the Foreign Office), as stated in a morning newspaper of Saturday, any Minutes of conversation held with the Russian Ambassador in 1876, in which a partition of Turkey was proposed, as also an arrangement for the settlement of a new Russo-Indian frontier, involving the absorption of Afghanistan; and, if such Minutes do exist, whether he will lay Copies of them upon the Table of the House?

THE MARQUESS OF HARTINGTON: Sir, this Question has been substantially answered by my noble Friend the Secretary of State for Foreign Affairs in "another place." I ought, perhaps, to repeat the protest made by my noble Friend against Questions of the kind being put, inasmuch as the answers to them may involve statements which would not be for the public advantage. My noble Friend, however, in this instance, thought it desirable to state, in order to avoid misconception—and I therefore have no objection to repeat the statement—that there are no Minutes of this description, so far as we are aware, either at the India or the Foreign Offices.

ARMY—THE TRANSVAAL (MILITARY FORCE).

CAPTAIN MAXWELL-HERON asked the Secretary of State for War, Whether he will lay upon the Table of the House any Copies of Correspondence that may have passed between Sir Garnet Wolseley and the War Office, at the close of the Zulu war, with reference to the number and description of troops that it was thought advisable to leave in the Transvaal, in order to ensure the maintenance of law and order there, taking into consideration the dissatisfaction of the Dutch Boers with the policy of annexation carried out by the Government then in office?

Mr. CHILDERS: No, Sir; it is not usual for the Secretary of State for War to lay on the Table Correspondence with Commanders-in-Chief abroad, as to the prospective strength of their commands. I may, however, in order to avoid misapprehension on the subject, say that the force in the Transvaal and Natal, when the recent insurrection broke out, was precisely of the strength recommended by Sir Garnet Wolseley at the close of the Zulu War.

SOUTH AFRICA—THE BASUTOS.

Mr. RICHARD asked the Under Secretary of State for the Colonies, Whether he is able to confirm the announcement made by telegraph from Cape Town that Letsea, the paramount Chief of the Basutos, has asked for an armistice, and that a suspension of hostilities for seven days has been accorded; and, whether he is able to inform the House on what terms the Government of the Cape Colony are prepared to make peace with the Basutos?

Mr. GRANT DUFF: Yes, Sir. We have received news that a week's armistice has been officially confirmed. In reply to the second part of my hon. Friend's Question, I think the best answer I can give is to read part of the telegram which the Cape Minister agreed to Sir Hercules Robinson sending to the Chief Magistrate at Maseru, with reference to the Basuto application. The terms offered to the Basutos in that telegram were—

> "Let their sincerity be proved, if they are sincere, by an immediate surrender of their arms in submission to the authority of the Government; and in that case I would try to secure that they shall be treated with the utmost leniency, consistent with the vindication of the law's authority."

The Cape Minister further agreed to Sir Hercules Robinson sending these words—

> "In the event of their placing themselves unreservedly in my hands, they may rely upon me using my utmost endeavours to secure for them terms not only just but generous."

CONTAGIOUS DISEASES (ANIMALS) ACT, 1870—MOVEMENT OF CATTLE.

Mr. A. J. BALFOUR asked the Vice President of the Council, Whether it is not the fact that cattle sent from a district where there is no disease to one where disease is prevalent have to get permission from the local authorities of both places; whether the necessity of obtaining the permission of the local authority in the place to which the cattle are sent is not, under such circumstances, a needless formality; and, whether the Government propose to take any steps towards removing or mitigating this grievance?

Mr. MUNDELLA: It is not a fact, Sir, that cattle sent from a district where there is no disease to one where disease is prevalent cannot be moved without permission from the local authorities of both places. Animals may be moved from any district which is not comprised in an area infected with foot-and-mouth disease into an infected area with the licence of the local authority of the latter district only. The "needless formality" to which the hon. Member refers of obtaining the permission of a local authority in the place to which the cattle are sent is not imposed by an Order in Council, but by Act of Parliament. By the 4th schedule of the Contagious Diseases (Animals) Act, 1870—

> "Animals may be moved into, in, or out of an area infected with foot-and-mouth disease by licence of the local authority."

And it seems only reasonable that the local authorities should have the power of regulating the movement of animals throughout their district.

INDIA—RAILROADS—THE SOUTH MAHRATTA COUNTRY.

Mr. A. J. BALFOUR asked the Secretary of State for India, Whether any scheme has been sanctioned by the Home Government for constructing a railroad between the South Marhetta country and the sea; if so, whether the line selected is the one approved by the Government of India; and, whether the Government is prepared to lay papers on the subject upon the Table of the House?

The Marquess of HARTINGTON: Sir, the Home Government have made an arrangement, in fulfilment of the Treaty of 1878, with the Portuguese Government by which, if that Government establish a port at Marmagao, and construct a railway from thence within Portuguese territory towards the South Mahratta country, the Indian Government will continue the line from the frontier to New Hubli, and ultimately connect it with other lines to be constructed in that part of India. The Government of India were disposed to be more in favour of connecting the Mahratta country and the coast by means of a railway which would start from Karwar, a port in British territory, a little south of Marmagao; but that would probably have involved a larger expenditure on the part of the Government of India, whereas the line now selected in Portuguese territory is to be made under a guarantee from the Portuguese Government, and the same object will be gained. I am not sure whether the Correspondence is complete; but when it is there will be no objection to lay it on the Table.

CRIMINAL LAW—JAMES STEPHENS.

MR. OTWAY said, he wished to ask the Secretary of State for the Home Department a Question of which he he had given him private Notice. It was, Whether the Government have any information as to the movements of James Stephens, the head centre of the Fenian conspiracy, who had some years ago escaped from gaol in Dublin when committed for trial?

SIR WILLIAM HARCOURT: Yes, Sir; I have information that James Stephens recently arrived in Paris.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL.

MR. ARTHUR O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether any preparation has been made by the Government for the reception in the gaols of Ireland a large number of ladies who are likely to be arrested under the operation of the Coercion Bill?

[No reply was given.]

ORDER OF THE DAY.

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PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL.—[BILL 79.]

(*Mr. William Edward Forster, Mr. Gladstone, Secretary Sir William Harcourt.*)

COMMITTEE. [*Progress 14th February.*]

[FOURTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Power of Lord Lieutenant to arrest and detain).

MR. M'COAN moved, as an Amendment, in page 1, line 13, after the word "Ireland," to insert "proclaimed under the provisions of this Act." It would be necessary to examine the Bill in order to render the Amendment intelligible. The clause already agreed to provided that any person reasonably suspected of treasonable offences, tending to interfere with and disturb the maintenance of law and order, might be arrested in any part of Ireland, and the effect of this Amendment would be to require that the offence for which the warrant was issued must have been committed in some part of a district or county specially proclaimed, and thus brought under the operation of the Act. It was, he felt, a very hopeless task to attempt to move an Amendment of this kind; and, as he had little or no expectation that it would be accepted by the Government, it was, he feared, a waste of effort almost to try and secure its acceptance by the Committee. Yet he thought he should be able to show reasons which justified the proposition. The object of the Government in asking for this Bill was not to arm themselves with vindictive or tyrannical powers, but to obtain such extra powers beyond those conferred by the ordinary law as would enable them to preserve peace in Ireland. Assuming, for a moment, that they had made out a case, and that it was necessary to give exceptional powers in order to secure the maintenance of law and order, they themselves declared that it would not be necessary to exercise these powers except in certain special districts where the law had been set at naught, and was not sufficient to preserve the peace. If the Amendment were adopted, the construction and action of the Bill would, at least, be rendered more symmetrical. They would have the proclaimed district, complete in itself, as the original area within which the crime must be committed, and it would then continue to be the limited area within which it might be punished. It might be objected that they would be creating a sort of Alsatia, in which an offender might take refuge. At the first blush there might seem to be something in that objection; but it rather supplied an argument in favour of extending the proclamation over the whole of the country.

If the non-proclamation of a district admitted of an abuse by allowing an offender to take refuge within it, then the logical course would be to proclaim the whole country; and then those who resided, or addressed meetings, or who happened to be in any of the non-proclaimed districts, would know at once that if they opened their mouths they would subject themselves to all the terrors of the law. If there was any marked indisposition on the part of the Committee to accept the Amendment he would not press it to a division.

Amendment proposed,

In page 1, line 13, after the word "Ireland" to insert the words "proclaimed under the provisions of this Act."—(*Mr. M'Coan.*)

Question proposed, "That those words be there inserted."

Mr. W. E. FORSTER: I really think that the hon. Member's Amendment almost answers itself. What would happen if it were inserted in the Bill would be this—Her Majesty's Government do not wish to proclaim any district which it is not necessary to proclaim. Of necessity the fact of proclaiming a district would show that there was reasonable suspicion that somebody within the district was doing something to tyrannize over others, or to commit offences in the district. But if this Amendment were adopted such a person, by just running over the border into a non-proclaimed district, would make himself perfectly safe. Of course, the Committee will not for a moment expect that the Government can give their sanction to such an Amendment. The only effect of adopting it would be that we should be obliged to proclaim many more districts all over Ireland than would otherwise be necessary.

Mr. BIGGAR thought the argument of the right hon. Gentleman was somewhat weak. The Bill should either apply to the whole of Ireland or it should not. It was alleged that certain parts of the country were disturbed, and that certain other parts were not disturbed; and there ought to be some limit as to the districts in which the arrests might take place. It would be just as fair to say that because there were some disturbances in parts of Ireland—which, however, he disputed—the whole of the United Kingdom should be brought under the provisions of the Bill. The same argument would apply to the facilities of removal from Ireland to England as from a proclaimed district to some other district which was not proclaimed. It was unreasonable, he thought, to oppose the Amendment. It was alleged by the Government that the great object of the Bill was not to punish crime, but to prevent crime from being committed; and if a person suspected of fomenting crime in a particular district left that district and went into a more peaceable locality, he saw no reason why he should be punished just as if he had remained to pursue his criminal proceedings. He would advise his hon. Friend to divide upon the Amendment.

Sir JOSEPH M'KENNA hoped that his hon. Friend would not persevere with the Amendment, because the penalty of adopting it would inevitably be the proclamation of the whole of Ireland, and, so far, Her Majesty's Government had announced no such intention. He fully appreciated the motives which had actuated the hon. Member for Wicklow (Mr. M'Coan), and also those which induced the hon. Member for Cavan (Mr. Biggar) to support the Amendment; but, under all the circumstances, he hoped that the Amendment would be withdrawn.

Mr. M'COAN said he would not press the Amendment.

Amendment, by leave, *withdrawn.*

Mr. O'DONNELL moved, as an Amendment, in page 1, line 13, after "and" to insert—

"After an investigation in the presence of the Lord Lieutenant or the Chief Secretary to the Lord Lieutenant, at which the suspected person shall have full facilities for any explanation he may have to offer."

He ventured to think that this Amendment was one which ought to commend itself to the support of the Committee. It simply proposed to insert in the body of the Bill certain provisions which the Government had led them to believe would only summarize their intended practice under the Bill. The Irish Party had repeatedly urged on the House, since the commencement of these debates, the formidable and objectionable character of a Coercion Bill giving a premium upon arrest and imprisonment on suspicion. In the existing circumstances of Ireland, the absence of special provisions would place the liberty of every man at the disposal of the village tyrant, the tyrannical, the spiteful, or the frightened magistrate, the spiteful policeman, and the policeman greedy of promotion or reward. These were the class of men who would be authorized to lay informations and grant warrants on such informations, and to arrest and imprison without an appeal against such warrants. There could be no doubt that some provision was required to guard the people at large against spite and malevolence on the part of those who considered that they and their interests were specially in danger from the popular agitation now proceeding in Ireland. It must be in the recollection of every Member of the Committee, from the expression of opinion on the part of the Irish magistrates, which had found a vent by a hundred channels in the English newspapers, that among the Irish magistrates there was a feeling of exasperation amounting to blind passion directed against all those whom the magistrates considered to be the leaders of a movement which they denounced as confiscatory, unjust, and dishonest. Nothing could be more different than the points of view from which a non-landlord magistrate and a landlord magistrate would be likely to regard the Land League agitation. In practice, it was impossible in Ireland to draw a distinction between the non-landlord magistrate and the landlord magistrate; but the landlord magistrate, as a matter of fact, numbered about eight out of ten. All the police looked to them for the recommendations which regulated promotion and reward. Even in ordinary times a constable looked to the number of arrests he made in the discharge of his duty as a sort of proof to his superior that he was duly performing his duty, and that he was an efficient constable. Accordingly, at a time when the whole body of the Irish Constabulary would be, so to speak, specially enjoined to be doubly vigilant in spying out and suspecting crime, the House might be certain that the ordinary ferreting qualities of the constable would be excited to the highest pitch, and a positive mania for suspicion would not be absent from the lowest ranks, when they knew very well that a mania for opening letters had seized the very highest of Her Majesty's subjects. It would not be denied, for the Chief Secretary for Ireland had himself admitted that the existence of this disposition on the part of the magisterial class, and the possibility of their exercise of unrivalled power would constitute, if unsupervised, a danger of the greatest magnitude to the liberties of the Irish people, even the most innocent, and a danger to the peace and tranquillity of Ireland. The right hon. Gentlemay had assured them that the responsibilitn for suspecting, arresting, and imprisoning would not really be in the hands of the constabulary and the magistracy, but that the Chief Secretary or the Lord Lieutenant, or the two together, would supervise every case. If that was to be the policy of the Government, it could not be considered anything novel and unjust to ask them to put their policy in the Bill. If it was the intention of the Chief Secretary and the Lord Lieutenant to examine carefully, judiciously, and conscientiously into the case of every suspected man whom some constable or magistrate might recommend to the notice of Dublin Castle as deserving of 18 months' imprisonment, let them place in unmistakeable words the record of their intention in the Bill. It was for this purpose that he proposed to insert this clause, providing that the detention of suspected persons in custody should only take place after an investigation in the presence of the Lord Lieutenant, or Chief Secretary of the Lord Lieutenant, at which investigation a suspected person should have full facilities for making explanations. The Chief Secretary and the Law Officers might suggest that there would be an investigation in each case, although not in the presence of these high authorities; that the investigation would consist in the careful examination of the written depositions and the sworn informations of constable X and sub-constable Y, and a careful examination of the grounds on which the local magistrates might have recommended the arrest. But he maintained that the mere examination of a number of documents sent up from Sligo or from Donegal, and laid before the Chief Secretary in his office in Dublin Castle, in the absence of the accused person and of every means of testing the good faith and accuracy of the information, would be a most utter and complete sham. It would be a fraud imposed upon the public and upon Parliament; and although the Chief Secretary had the most implicit and touching confidence in the representations made to him by the subordinate officials of Ireland; and although, on the ground of that implicit and touching confidence, the House was prepared to absolve the right hon. Gentleman himself from any participation in the fraudulent character of the proceedings, their conviction as to the innocence and honesty of the Chief Secretary would not absolve them from the duty of protecting the liberties of their countrymen by such reasonable safeguards as it was not only the right but the duty of Parliament to introduce into the present Bill. The opportunity of the Chief Secretary for entering into a detailed examination of any informations sent up to Dublin Castle must depend upon the number of those informations; and, in fact, the magistrates throughout Ireland need do no more in order to defeat totally the honest intentions of the Chief Secretary and the benevolent intentions of the Government in general than to nominate as many unfortunate Irishmen for arrest and imprisonment, and to forward such a mass of suspicions to Dublin Castle, to overwhelm the Chief Secretary with such a multitude of applications for wholesale incarcerations that the Chief Secretary, if there were 48 hours in the day, would be unable to go into the whole of them. And in such circumstances, if no sufficient provision was introduced into the Bill as a warning against the over zeal of the magistrates, the Lord Lieutenant would be obliged to sign warrant after warrant without the slightest real examination into the merits of the case. Therefore, making every allowance for the good intentions which were mingled with less praiseworthy elements in the Bill of the Government, he suspected, and he did not conceal his suspicion, that the Chief Secretary for Ireland would be incapacitated by the multiplicity of the informations from examining into the accusations, as he had promised the House to do. He wished to protect the Chief Secretary from the consequences of his own rash engagements, and to bring him, while the Bill was still under discussion, face to face with the difficulty which was before him. If the right hon. Gentleman was convinced that he could deal with all the cases that would be brought before him upon the information of the landlord magistrates of Ireland, then there could be no objection to introduce these protective provisions into the Bill. If, on the other hand, he had any reasonable suspicion that he would be unable to deal with the accusations, then the Amendment was of a character to enforce upon his mind the real difficulty of the task upon which he was rushing. The Amendment might even be further amended in the direction of allowing the Chief Secretary assistance in examining into the cases which would be crowded upon him by the vindictive magistracy of Ireland. But, on the other hand, the House were entitled to take the Chief Secretary at his word. He had again and again assured the House that it was not the magistrates of Ireland who would be the ultimate judges, but that he would examine into and decide every case. Then let the right hon. Gentleman and the Government bind themselves, by explicit words introduced into the Bill, to provide that no Irishman should be sentenced to arbitrary imprisonment without appeal, except after direct investigation by the Chief Secretary or the Lord Lieutenant. The suspected persons should have full facilities for giving any explanation they might have to offer. That was all important. If the Chief Secretary had nothing but a number of informations sent up to him from the North or South of Ireland, and he proceeded to examine them without the presence of the suspected persons, it would be absolutely impossible for him to arrive at a conclusion which would have the slightest weight upon the conscience of the country. He would be adjudicating in the dark; and even although his remarkable acumen might direct him in some cases to a true verdict, the public at large would be unable to give the right hon. Gentleman credit for that acumen in the absence of the ordinary and rational plan of confronting the suspected person with the information on which he was suspected. The right hon. Gentleman refused to place the suspected man in the presence of his accuser. He insisted on guarding the accuser behind a veil of secrecy. He could have no valid reason for keeping the information from the view of the suspected man. It had been stated by an English Member that already Her Majesty's Government had made preparations for the summary arrest of

1,200 persons in Ireland. If the Bill was worth anything, there must be at least 1,200 persons arrested, because the Government declared that it was intended to put down the village tyrants and the dissolute ruffians who were to be found in the different parishes of Ireland. Considering that on the plea of Her Majesty's Government themselves there were enough of these dissolute ruffians in each parish to overawe the law-abiding people, they had only to multiply the number of parishes by the minimum number of dissolute ruffians in order to arrive at a sum total of several thousands. If, therefore, the Bill was worth anything, not only 1,200 Irishmen, but many thousands, were threatened with the loss of their freedom; and some precautions were necessary in order to provide that there should be something like a fair and honest investigation of the circumstances of every case. They had only to consider the number of cases that came before a single Judge, in order to arrive at something like an idea of the amount of labour which the right hon. Gentleman was prepared to undergo with so light a heart. The Amendment was absolutely necessary if the Chief Secretary intended to carry out the pledge he had given to the House; and it was quite as necessary if the Chief Secretary found himself ultimately unable to carry out that pledge, because, in that case, the benefit of the incapacity of the right hon. Gentleman should be given to the suspected persons, and Parliament should not take upon itself the responsibility or the guilt of sentencing a single Irishman to arbitrary imprisonment without, at least, some guarantee for a fair investigation into the facts of the case.

Amendment proposed,

In page 1, line 13, after the word "and," to insert the words "after an investigation in the presence of the Lord Lieutenant or the Chief Secretary to the Lord Lieutenant, at which the suspected person shall have full facilities for any explanation he may have to offer."—(*Mr. O'Donnell.*)

Question proposed, "That those words be there inserted."

MR. W. E. FORSTER: I need hardly say that I cannot accept the Amendment, or accept the statement of the hon. Gentleman as to the mode in which the Bill will be carried out if it becomes law, or in regard to the number of persons who will be arrested under it, or any other particular. It is quite true that I stated, and made it clearly understood, that the putting into force of this Act would not depend upon the police or upon the magistrates in different parts of Ireland. I do not wish by that to convey any reproach upon the police or the magistrates. I only say that that is not the intention of the Bill, and if we were to allow it to be done we should divest the Executive Government in Dublin of their responsibility. What is conveyed by the Bill, and what I understand will really be the case, is that the responsibility will rest upon the Lord Lieutenant, assisted by his responsible Advisers, and the Chief Secretary, as one of those Advisers, will share the responsibility. But I must say that while my noble Friend the Lord Lieutenant, and while I, myself, feel that responsibility very strongly, and feel that we have a most painful task imposed upon us, we must be allowed to use our own discretion as to the mode in which we fulfil it. We really could not undertake that responsibility if the House of Commons were to endeavour —although I do not suppose they will— to prescribe the particular mode in which we should exercise our functions.

DR. COMMINS was sorry to hear the expressions which had been used by the right hon. Gentleman. One of the principal reasons urged by the right hon. Gentleman as a salve to induce the House to accept the introduction of the Bill was that there would be no danger to individual liberty, and no risk of injustice being done in individual instances, because he himself would examine each particular case and see that there was sufficient ground for committal. But what did the right hon. Gentleman say now? He began to see the magnitude of the task he had undertaken, and to find that he had heaped upon his shoulders a responsibility which no Hercules or Atlas could bear. The right hon. Gentleman now shifted his ground altogether, and departed from the promise by which he obtained a good many votes on the other side of the House. Certainly, he obtained none from the Irish Members, because none of them could place any dependence on the promises of the Government. Nevertheless, there were many hon. Members who had too much respect for the old principles of the Constitution to surrender them without a struggle, even when it was only Irishmen who were to be the victims of that surrender, and he contended that they had been deceived by the promise of the Government. Having obtained votes from hon. Members on all sides of the House on the promise that he would look after each individual case, the right hon. Gentleman said now that the putting in force of the Act must depend upon the magistrates, and that all he and the Lord Lieutenant would do would be to give their fiat that the Act was required in any particular district. There was, consequently, no guarantee whatever for the due investigation of every case that came under the Act. On the contrary, there was a complete abandonment of all guarantees to the people of Ireland that respect would be paid to individual liberty, and that safeguards would be adopted for the protection of those who might be under suspicion, owing to the malevolence, private spite, or even baser motives of getting them out of the way while evictions were effected, or some private object carried out. The question went a great deal further than seemed to be supposed. It actually put the good faith of the Government at issue. If they did not mean to furnish some sort of safeguard to prevent the Act from being abused, why did they make a promise at all? They had also promised remedial measures; but what reliance could the Irish people have in that promise, when the good faith of the Government was found wanting almost on the first occasion on which it was tested? What reliance could the people of Ireland have in the splendid Land Reforms of the Government which were to follow this despotic measure of coercion? He imputed no deliberate intention to the Government to deceive the Irish people; but he asked them to look at the position in which they had placed themselves, and see if their conduct was not fairly open to that construction. The Irish people would naturally say—"You have deceived us in this matter. You have broken faith with us at the very outset, and we cannot rely on your good faith or honesty in regard to any other measure you may introduce." He urged the Government to make a concession now by accepting this Amendment. He hoped they would take into consideration the possibility of abusing the provisions of the Act for private purposes. If the Chief Secretary was unable to investigate every case, some other authority might be substituted. It was a matter of common observation that Her Majesty's Judges in Ireland were by no means overworked, and that the English Judges of Assize, and the Chancery Judges, did more work in three months than the Irish Judges did in 12. In point of fact, it was alleged that they employed the chief part of their time in yachting or in other agreeable amusements. ["Question!"] He was coming to the Question directly. It had often been remarked that the Irish Judges had a considerable amount of time at their disposal.

The CHAIRMAN: I must point out to the hon. Gentleman that he is now travelling beyond the Amendment before the Committee.

Dr. COMMINS said, he only wished to suggest that if Her Majesty's Government could not adopt the Amendment in its present form, the Irish Judges had plenty of leisure to enable them to undertake the proposed investigation.

The CHAIRMAN: That has nothing to do with the Amendment before the Committee. The hon. Member must confine himself to that Amendment.

Dr. COMMINS said, he had merely thrown out a suggestion. He had no doubt, however, that it would meet the fate of every other suggestion; and he would leave the matter where it stood. He would only ask the Government to carry out the promises they had made on the introduction of the Bill; or, if they were not willing to carry out those promises, and confessed that they could not carry them out, that they would provide some guarantee for the performance of the duty of investigating charges that might be unjustly preferred. He had no sympathy with or compassion for the perpetrators of outrage in Ireland; he pleaded only for those who might be unjustly suspected or accused. They were told that the constabulary had been overawed; that the ordinary processes of law were set aside. It would take at least 12,000 people to overawe 12,000 armed men furnished with bayonets, firearms, and buckshot. The number who would be suspected or charged would, at least, be equal to the number whom they overawed and rendered powerless. The hangers-on of the Irish magistrates, the process-servers, and all other officers of the law, were also rendered powerless, so that, in point of fact, it would require the arrest almost of an army.

THE CHAIRMAN: I have already told the hon. Member that he is travelling beyond the Question before the Committee.

DR. COMMINS said, he did not desire to travel in the slightest degree beyond the Question. He was merely pointing out the magnitude of the task which the right hon. Gentleman the Chief Secretary had undertaken. He would content himself now with asking the Government to accept the Amendment, or something equivalent to it, and thereby showing the people of Ireland that they were actuated by *bonâ fide* good intentions, and not by mere stage inspirations.

MR. JUSTIN M'CARTHY thought the Amendment was extremely reasonable—so reasonable, indeed, that it was a matter of wonder that the Government themselves had not introduced some such provision into the Bill. The Amendment merely provided that no person should be imprisoned without having the accusation against him clearly explained, and being afforded full facilities for explanation. It provided that a man should not be arrested on the word of an irresponsible official, and consigned to prison for 18 months, without even a chance of explaining that he had intended no offence against the law. The House had been told over and over again that the utmost care would be taken by Her Majesty's Government to secure the liberties of the people. The Lord Lieutenant was himself to see that no man was consigned to prison without reasonable grounds of suspicion. But now they were told, although the Chief Secretary had promised an investigation of his own, that there would be nothing in the shape of a responsible investigation at all. It, therefore, amounted to this, that if it was intended to make a vast swoop in the shape of arrests there would be no time for investigating each particular case; and it was only fair and reasonable, if the Lord Lieutenant or the Chief Secretary were unable to make an investigation, that the work should not be left to some irresponsible official, without any practical security for the liberty of the people. In no civilized country in the present day could such a step be justified; and he, therefore, trusted that the House would not consent to pass the clause without the Amendment suggested by his hon. Friend. It would be monstrous to enact that any greater or smaller number of men should, without investigation, or being afforded an opportunity of explanation, be consigned to prison for 18 months on the mere suspicion of some police-constable or common informer.

MR. O'SULLIVAN hoped, if the Government were not prepared to accept this reasonable Amendment, they would propose something to carry out its object. He was sure the right hon. Gentleman must be aware of hundreds of people having been taken up, against whom no charges were made. It was quite impossible that he could himself investigate the numerous cases which would be brought before him from various parts of the country. But he had understood the right hon. Gentleman to say that the arrests would not depend upon the police or the magistrates. The right hon. Gentleman must be aware that as soon as this Bill was passed there would be few counties in Ireland in which he would not have arrests made immediately. He reminded the Committee that in 1867 many arrests were made without any authority from Dublin Castle, and urged that, in the present instance of coercion in Ireland, there should be some authority issued from the Castle in the shape of a warrant. He hoped, on consideration of the circumstances of the case, the right hon. Gentleman would see the necessity of some Amendment of the kind proposed by the hon. Member for Dungarvan.

MR. DALY wished to point out the consequence of the right hon. Gentleman the Chief Secretary for Ireland refusing to accept the Amendment before the Committee. The right hon. Gentleman said that the arrests would not depend on the police or the magistrates. But, he asked, would they not depend upon the reports and informations sent to Dublin Castle from those persons? To his mind, the objection to the Amendment was that it would be unworkable, and that it would not be possible for the Lord Lieutenant to look into the details of every case of arrest. The hon. Member for Dungarvan had, however, provided for that, and proposed that properly authorized persons should be introduced to look into a matter of such importance as the taking away of the liberties of Her Majesty's subjects. Surely it was not asking too much, that informations which came from localities in which it was known that the people and the police or the magistrates were antagonistic, that men arrested upon the reports of the latter class should have an opportunity of explaining before an impartial tribunal the circumstances in connection with the crime with which they were charged. The right hon. Gentleman the Chief Secretary for Ireland had founded the introduction of this Bill upon the Blue Book which contained an account of the outrages committed; and he had subsequently confessed that he had made no personal examination of the Returns, which were simply prepared by the police authorities on the usual formula. In omitting to make that personal examination the right hon. Gentleman had, in his opinion, committed a grave crime, because he had put before Parliament and the people of the country what was nothing else than a libel against a peaceable and law-abiding people in the form of a statement of outrages which he had not investigated. What right, then, had he (Mr. Daly) to assume that after the passing of this Bill the Chief Secretary for Ireland would be more careful than he had been before it was introduced? He did not apprehend that the number of arrests would be as great as some hon. Members sitting on that side of the House supposed, for it would, no doubt, be the case that those persons who were conscious of having committed offences against the law would, to a great extent, disappear when they saw that the Bill had come into operation; and, therefore, the number of arrests would not be so great as to entail a very large examining body. Were those persons who had been born subjects of Her Majesty the Queen to be deprived of the opportunity of proving that they were 50 miles away from the place where the crime occurred with which they were charged? And were they not to be allowed to prove, if they could, that the crime had been committed by another man of the same name? In short, were Irishmen, because the Government would not take the trouble to appoint responsible persons to investigate the charges, to be deprived of the Constitutional liberty accorded not only to Her Majesty's subjects in England, but those in the Colonies? He was sorry to record the impression produced on his mind, that the sanction to the Bill had been, to a certain extent, obtained from the Liberal and Radical Members of the House of Commons by false pretences; and he protested against this as the worst innovation ever made on the liberties of Her Majesty's subjects in Ireland.

Mr. M'COAN said, that, unlike many of the hon. Members among whom he sat, he thoroughly believed in the good faith of the Chief Secretary for Ireland. This was a hazardous admission to make, seeing that the good faith of the right hon. Gentleman had been called in question by more than one hon. Friend on that side of the House. It was, however, because he believed in his good faith and in his honest intention to carry out the Bill as mercifully as he could, that he appealed to him to accept, in some shape or other, the Amendment of the hon. Member for Dungarvan. Had he himself framed the Amendment, he should have done so in the hope of getting a substantial concession from the Government which would reduce the tyrannical powers of the Bill to a minimum. He would have suggested a personal investigation by the Lord Lieutenant, or the Chief Secretary himself, of the special circumstances of each case. And had the right hon. Gentleman pledged himself, in the text of the Bill, to such a personal investigation, and taken upon himself responsibility for every committal, he (Mr. M'Coan) would have had little fear that the powers of the Act would be abused. Whatever might be the trust of the right hon. Gentleman in his subordinates at Dublin Castle, it was idle to tell the Committee that the main portion of the Bill would not be carried out by the magistrates and the police, for those to whom he delegated his powers would be obliged to act upon the reports of those persons. Unless the right hon. Gentleman assumed something of the function which would be imposed upon him by the Amendment of the hon. Member for Dungarvan, he would be little more than the clerical endorser of the reports of the magistrates and police. If, however, he would import into the Bill his personal responsibility for its application, he believed he would remove a great deal of the objection which existed amongst hon. Members on that side of the House. At any rate, it would do away with his (Mr. M'Coan's) chief objection to the Bill. Therefore it was he ventured to ask the right hon. Gentleman to reconsider his refusal to make the concession asked for, which was in itself a very small one, that he would himself be responsible for the administration of the powers of the Bill.

MR. GILL had always understood it to be a principle of English law that it was better for 100 guilty men to escape than that one innocent man should suffer. But it appeared to him that the framers of the Bill wished to act on a principle exactly contrary to this. He could not understand how the Chief Secretary could pretend that the magistrates and police would have nothing whatever to do with the application of the powers of the Bill, and that it would be the Lord Lieutenant and himself, or their confidential Advisers, who would decide upon all cases of arrest—while, at the same time, he refused to accept the very moderate Amendment of the hon. Member for Dungarvan. The conduct of the right hon. Gentleman with regard to this Bill, in telling hon. Members that all responsibility was to be left to him, and that he would not be tied down by any Amendments, reminded him of the practice of some sharpers, who entrapped people by the so-called "Confidence Trick." As far as he could see, he was acting in a similar manner by asking hon. Gentlemen on both sides of the House to give him unlimited powers, and then throwing over all responsibility by not making the Bill clear upon that point. This Bill would, in his opinion, be the cause of many innocent persons being arrested in Ireland, and, unless the Amendment of his hon. Friend the Member for Dungarvan were accepted by Her Majesty's Government, this would be done on the mere suspicion of hostile magistrates and policemen. It was certainly not asking too much of the right hon. Gentleman to appoint some proper persons to examine into every case of arrest, so that when questions were asked in Parliament—as they certainly would be—concerning the arrests which would take place, accurate answers might be given to them. It had happened that morning that an hon. Member asked a question relating to particulars of an arrest in one of the country districts in Ireland, and that the Chief Secretary for Ireland complained that it was rather too much to expect him to answer so many inquiries. The Bill contained a provision that the cases of arrest should be laid before Parliament during the first seven days of every month. But it must be remembered that during six months of the year Parliament would not be sitting, and that was another reason why some limitation of the powers of arresting on mere suspicion should be introduced into the Bill; for it would be very hard that men perfectly innocent, perhaps, should be kept in prison, and their cases not brought before Parliament, on the reports and suspicions of persons who would have no scruple whatever as to the kind of information they sent to Dublin Castle. For these reasons, he should support the Amendment of the hon. Member for Dungarvan.

MR. W. E. FORSTER hoped he might be allowed to make a personal statement. He was much obliged to the hon. Member for Wicklow for the kind expressions he had applied to him. Such expressions came very rarely from hon. Gentlemen opposite; but, in the present instance, they had been immediately counterbalanced by what had been said by the hon. Member who had just sat down, in charging him with attempting the "Confidence Trick." With regard to the actual matter before the Committee, he considered that the Lord Lieutenant and himself would be responsible for doing everything in their power to prevent the commission of injustice under the provisions of the Bill. He did not think the Committee would gain anything by endeavouring to dictate to them the way in which they were to discharge that responsibility. If they had desired to escape responsibility, they would probably have asked the House to define the mode in which they should act, which, when their conduct was called in question, would enable them to say they had fulfilled the conditions imposed upon them. But he put his responsibility even higher than hon. Members opposite. He held it to be his duty to do everything in his power to prevent injustice being done; and, moreover, that he was responsible for the acts of others in that respect. Therefore, he did not think he could give any stronger assurance that everything in his power would be done to prevent injustice. Fault had been found with him because he said that he could not be expected to know of everything done by the police in the streets of Limerick, and it was said he would be equally ignorant of the way in which this Bill would be carried out. But it was not part of his duty to inquire into cases arising under the ordinary law throughout Ireland so far as the action of the police and the magistrates was concerned; but it would be the specific duty of the Lord Lieutenant and himself to inquire into the administration of the Bill before the Committee. He did not wish to avoid his full share of the responsibility which in this case would rest upon the Lord Lieutenant and himself. In reply to the hon. Member for Limerick, he understood the Bill clearly to state that no man could be arrested without a warrant.

Mr. T. P. O'CONNOR would express neither confidence nor want of confidence in the right hon. Gentleman the Chief Secretary for Ireland, because it would be altogether putting the matter on a false basis to make it one of confidence at all. As a good Liberal, he was bound to place the liberties of no man in the control of any Minister, whether he had confidence in him or not; and, in his view, the right hon. Gentleman was bound to take up the same position. Therefore, in making the observations which had just fallen from him, the right hon. Gentleman had placed the question on a false basis. If the Chief Secretary for Ireland had been in Opposition, and a similar Bill had been brought in by a Conservative Chief Secretary, was it likely he would listen to him when he said—"You must put confidence in me." Supposing the late Chief Secretary (Mr. James Lowther) had brought in such a Bill, and had asked for the confidence of the right hon. Gentleman who proposed to insert such and such words as a necessary guarantee for the liberties of the Irish people, he did not think he would have listened to him for a moment. The Government had taken up two positions on introducing this measure. The first was that the Bill would apply to a limited number of persons, and the second was that every arrest should be under the personal supervision, and the result of the personal examination and inquiry, of the Chief Secretary for Ireland. With regard to the first position, he took the statement of the right hon. Gentleman that the persons aimed at by the Bill were the village tyrants, the perpetrators of outrage; and that statement showed that the Bill was only to apply to a limited number of persons. With regard to the second main position of Her Majesty's Government, he asked—What was the use of the guarantee of the right hon. Gentleman if he was not going personally to investigate every case? Did the right hon. Gentleman mean that he would simply put his initials to the warrant made out by other hands? Investigation in these cases must be personal, or it was not worth consideration. Again, it had been stated that this Amendment would be unworkable, on the ground that the right hon. Gentleman would have so many cases to investigate that he could not attend to them himself; but if that were the case, the right hon. Gentleman had introduced the Bill on false pretences, for the position of the Government was that the number of arrests would be very small, inasmuch as they would be confined to a small section of society, called by the Chief Secretary, *mauvais sujets.* The Amendment, therefore, was workable, and the only real objection to it was that it sought to place in black and white those delicate and soothing observations made be the Chief Secretary for Ireland before the Bill passed a second reading. The right hon. Gentleman said he would be personally responsible for every one of these arrests. But what did that mean? The right hon. Gentleman would get his warrant prepared on the information of the magistrates and the local policeman. He said he would personally investigate the cases himself; but all the steps excepting that of putting the man in gaol would be taken by the magistracy or the police. Now, it was a well-known axiom in politics that every Minister was on the side of the magistracy—whatever they did or said was right. What satisfaction was it to Irish Members that the right hon. Gentleman was personally responsible? If he stood up in the House and said he was personally responsible for the arrest of any man, that would not make the arrest a just one. He knew very well they could not bring his conduct before the House with anything like a fair prospect of getting redress. A patient hearing might be given in two or three cases; but after that the patience of the House would be naturally and justifiably exhausted, and the responsibility of the right hon. Gentleman would amount to nothing in fact. He had been struck, in the course of the discussion of this measure, by the remark that it bore a resemblance to Continental proceedings of the kind; but, in his view, to find a parallel to the Bill before the Committee one must go back to the period of *lettres de cachet* and the Bastile, for even if a Bill like the present were passed in a Continental Assembly, it could not be without such limitations as were proposed by his hon. Friend the Member for Dungarvan. The Amendment of his hon. Friend simply asked for a safeguard that would be granted in the Assemblies even of the worst and most oppressive Continental States. In France, the Judge was bound to examine the prisoner and give him an opportunity of making a satisfactory explanation if he could do so. As had been suggested by the hon. Member for Cork City (Mr. Daly), the crime for which a man was arrested on suspicion might have been committed by a person of the same name, and the person charged might have been 20 miles away when it was committed. Was he not to be allowed to explain these things? Why, the greatest criminal in France could demand this right from the Judge which they were asking, but which the right hon. Gentleman the Chief Secretary for Ireland refused; and, therefore, these safeguards which were allowed under the French Criminal Law—an object of derision to Englishmen on account of its harshness—were to be denied to the most respectable man in Ireland who might, under the terms of the Bill, become the object of suspicion to the right hon. Gentleman and his Colleagues. The right hon. Gentleman asked them to trust entirely to his discretion, and spoke of the painful duty he had to perform; and from his attitude and words, one would think that the pain and penalty fell on the incarcerator, and not on the person incarcerated.

MR. R. POWER said, he was afraid the Chief Secretary for Ireland had not fully appreciated the valuable offer made by the hon. Member for Wicklow, who had actually offered to withdraw a powerful opposition if the Government would consent to the proposed Amendment. Many personalities had been introduced into the discussion; but he should not express any opinion on the character of the Chief Secretary until a future stage of the Bill, because he believed the character of the right hon. Gentleman was not fully formed. He did not see how the Chief Secretary could possibly accept the Amendment of the hon. Member for Dungarvan, because that would destroy the whole character of the Bill—if the object of the Bill was to do away with all investigation, and all explanation, and all justification for arrest. He could not agree with the hon. Member for Meath, who said he did not think many arrests would be made under the Bill, and the Chief Secretary assented to that idea. He hoped that would be so, and that he was wrong in the belief that there would be numbers of arrests under the Bill, and that men would be thrown into prison, as they had been in former years, without a scintilla of proof of guilt or attempt at outrage. The reason why he said that was that the police having made reports to the Government from many districts, that *mauvais sujets*, as they had been called, and dissolute scoundrels swarmed in every village, would be obliged to justify those reports, and, to do that, to make a number of arrests. The right hon. Gentleman, when he went over to Ireland, would find himself in this extraordinary position—he would have a plum in one hand and a whip in the other, and he would tell the people that if they took the whipping patiently, he would afterwards give them a plum. The right hon. Gentleman said he would see that hardships would not be committed under the Bill, and he would take care that no unnecessary arrests were made; but he was certain that if the right hon. Gentleman had full control over the Bill, and could devote his whole time to it, it would be utterly impossible for him to inquire into every case. As an instance, he mentioned the case of Casey, who, in 1867, was taken from his home and thrown into prison and forgotten, although, as in the present occasion, the Chief Secretary at that time had promised to inquire into every case. Cases of that kind would occur again, and he was very sorry that the Government had so far not acceded to one of the Amendments proposed. He feared it was the intention of the Government to resist to the utmost every attempt to move Amendments; but, nevertheless, and although it was a disheartening and an uphill task to be fighting for Amendments, when they knew they had no chance of passing them, there was a certain duty imposed on every Irishman in the House, and that was, by every means in his power, to try to modify the provisions of the Bill, and make them fall less harshly on the people at home. They had moved several Amendments, and they intended to move many more; but he was certain that if the Chief Secretary had met them in a conciliatory spirit, and had yielded to some of the Amendments, the debate would not have lasted so long as it had.

Mr. LEAMY observed, that a few moments ago the Chief Secretary had made two remarks in answer to the hon. Member for Meath. He said, first, that he and the Lord Lieutenant would have the administration of the Act; but just before that he had said that the powers under the Act would be exercised by the Lord Lieutenant and his responsible Advisers, of which, he said, "I am one." Which statement were they to accept? Would the powers be exercised by himself and the Lord Lieutenant, or by the Lord Lieutenant and his responsible Advisers, meaning some other person than the Chief Secretary? If there were some other persons, who were they? That was the point they wanted to come to. He said they would not be the magistrates, and not the police. Who, then, were they? Surely not the Solicitor General, nor the Attorney General; because they would be engaged in Parliament, and would not be able to investigate cases. If the right hon. Gentleman could not consent to an investigation as proposed, why did he refuse to allow an arrested man the right of knowing what his offence was, or of offering any explanation he might have to make? No doubt it was stated that the grounds of the offence would be set forth in the warrant; but the policeman executing that warrant was not obliged to show the warrant to the man, and so the arrested person might be imprisoned for 18 months without knowing at all what he was charged with. The least they might allow the man was that he should be told what the charge was, and have an opportunity of disproving it if he could. When the hon. Member for Cork City said he did not believe there would be many arrests under the Bill, because when it became law many of the persons guilty of outrage would quit the country, the Chief Secretary said "Hear, hear!" and made a similar statement. But those who would quit the country were the men who were conscious of their guilt, while those who would remain were the men who were conscious of their innocence, and ought not to be touched by the Act; but the men who were innocent might find themselves put into prison without the slightest intimation of the charge against them, or the slightest chance of offering an explanation. They did not ask that the information upon which a man was arrested, or the name of the informer, should be given to him; but that some simple statement of the alleged offence should be given. If the Chief Secretary would not consent to the Amendment, so far as it would require that before a man was sent to gaol he should be examined before the Lord Lieutenant, he, at least, ought to have no hesitation in accepting the latter portion of the Amendment, which would give a man an opportunity of offering an explanation.

Question put.

The Committee *divided*:—Ayes, 56; Noes, 274: Majority, 218.—(Div. List, No. 44.)

Mr. T. P. O'CONNOR said, he had intended to move an Amendment to the effect that imprisonment should only take place after an investigation, at which the suspected person should have the benefit of counsel; but he saw that the ground was covered by a subsequent Amendment; therefore, he would not proceed with his proposal.

The CHAIRMAN: I wish to call the attention of the hon. Member for Cavan (Mr. Biggar) to the fact that when he moves his Amendment, unless he purposes to omit the words "during the continuance of this Act" the alteration he proposes will not be intelligible.

MR. BIGGAR said, he would accept the right hon. Gentleman's suggestion, and move to omit the words specified. The object of the Amendment was to give the Chief Secretary an opportunity of substantiating the declaration that he had repeatedly made. The right hon. Gentleman had said that he was prepared to be responsible for every committal that might take place under the Act; not that he would undertake to investigate each particular case, but that he would be responsible for the actions of those on whose evidence he based his committal. This responsibility, it appeared to him (Mr. Biggar), would be of a very worthless kind if it were not subject to the decision of some high Court of Appeal; and the best Court of Appeal to which such matters as these could be referred was, undoubtedly, the House of Commons. It might be urged by the right hon. Gentleman that it was competent for any Member of the House, when he saw the name of a person who was committed to prison, or when he knew the charge brought against a person, to bring forward a Motion for the means of release, thus testing the right hon. Gentleman's responsibility. It would be apparent to everybody who had any practical experience of the working of Parliament, that unless some limit were put to the term of imprisonment to induce the House to come to a speedy decision on a case, it might be weeks, or even months, before a Motion, of which Notice had been given, could be brought on; and they knew that Ministers for the time being had, or were almost certain to have, a large majority at their back, and that, therefore, they could rely upon getting, in all just cases, votes of the House to enable them to keep the guilty or suspected persons in prison. It was only fair that a certain and *bonâ fide* opportunity should be given to the relatives and friends of a person in prison to raise the question of his innocence, if he were innocent. If the Amendment were agreed to, the House would have to decide upon a case within a fortnight; and within that space of time the Chief Secretary would have an opportunity of making such explanation as he thought desirable, and the friends of the person in prison would have an opportunity of making such statements as they believed to be necessary in his behalf. It was quite possible that if the Amendment were adopted many prisoners would be able to prove their entire innocence, showing that they were by no means the persons to be reasonably suspected of a certain charge.

Amendment proposed,

In page 1, line 13, after the word "detained," to leave out the words "during the continuance of this Act," and insert the words "for two weeks after notice has been given to Parliament, and their imprisonment shall end, unless otherwise ordered by a vote of the House of Commons."—(*Mr. Biggar.*)

Question proposed, "That the words 'during the continuance of this Act' stand part of the Clause."

MR. W. E. FORSTER: I can hardly think that the hon. Member for Cavan is serious—that he can really mean this. His opposition to the Bill is very intelligible; but it would be impossible to have a measure with such a provision as this in it, a provision that would limit the imprisonment to two weeks, or compel the House of Commons to consider every case.

MR. O'DONNELL considered the right hon. Gentleman's objection to the Amendment inconsistent with some of the pledges the Government had given. It had been promised, in effect, that the House should try every case; or, if that was not so, the English language must be an instrument for misleading the human mind. The Government had declared that the names of arrested persons, and the particulars of arrests, were to be given in Parliament—that it was open to the Irish Members to test the correctness of arrests by getting a decision of the House upon them. ["No, no!"] Then what was the meaning of the assurances they had got from the Government? He could understand the Government coming forward, and saying —"We want a code to enable us to arrest anyone in Ireland." He could understand such an act of despotism, without contortion, turning or twisting, or circumlocution; but he could not understand their coming forward and endeavouring to slip this Bill through the House by manœuvres and contrivances of this kind. Looking at the small amount of credit these attempts to disguise facts must bring on their authors, Her Majesty's Government, they should now attempt a little straightforwardness. The want of straightforwardness of the Government must be trying, even for the Liberal Party, who, Heaven knew, had not had too much to boast of. The Conservative Party could not sympathize with it, for, in charge of such a measure as this, they would not be guilty of fencing with the question. And as for the Irish Members, the conduct of the Government was not fair to them. They were promised that the powers of the Bill should not be abused; subsequently, Ministers said to them, "You shall have an opportunity of testing our Acts—we will give you full particulars of these arrests;" and now, when the question arose on the clauses, and the responsibility of the Government was under discussion, the Chief Secretary coolly said, "We have no notion whatever of allowing you to inquire into the cases—we are not going to have trials on the floor of this House, and at the same time we will not allow trials on the floor of any other house." He did not understand this species of political morality with which Her Majesty's Government had associated themselves in the name of Liberal administration; and he hoped their ingenious explainings-away would be reserved for periods of electoral excitement, and would not be depended on by Ministers in their dealings with the Gentlemen elected to represent the constituencies in Parliament. Hon. Members were being introduced to a sort of Fagan's Political School. The pocket of the country was being picked without the country having any knowledge of the question. Her Majesty's Government might deem themselves very clever and very fine to deal in this way with Irishmen; but he ventured to say that they were dealing unfairly with all hon. Members of the House. By giving one explanation one day, and offering another the day after——

The CHAIRMAN: The hon. Member is now travelling altogether beyond the Amendment.

Mr. O'DONNELL said, the effect of the Amendment was that, unless otherwise ordered by a vote of the House, a man who had been arrested should be set at liberty at the end of a fortnight, if representation were made to Parliament. It seemed to him that, in moving this, the hon. Member for Cavan was only anxious to embody in the measure the Ministerial pledge, that after each arrest the question should be fully debated in the House of Commons, and in the event of the House voting against the detention of the person arrested, he should be set at liberty.

Mr. GRAY did not yield to the hon. Member for Cavan in hostility to the Bill, and, because of that general hostility, if the Amendment were pressed to a division he should feel himself bound to vote for it. Yet he trusted that the hon. Member would not press it, because he did not think a very strong case could be made out for it. The Bill having been read a second time, the House had assented to the principle of coercion, and he did not see how that was to be enforced if such a provision as this were adopted. They had still upon the Amendment Paper so many Amendments of real importance which they (the Irish Members) could push, and push to an extreme limit, if necessary—being morally justified in doing so in fair fight—that he was reluctant to waste strength on a question which was not worth fighting for. Placing information on the Table of the House, and enabling the House to vote upon that information, was a totally different thing to bringing every case of arrest under the notice of the House. It would be open to the hon. Member for Cavan, or anyone else, to seize an opportunity for discussing the arrests when the details of those arrests were placed in sufficient fulness upon the Table of the House; but that was a very different thing to asking the House to commit itself to discussions, especially within a limited time. He was confident that if the Amendment were passed, Parliament would be doing nothing else but discussing these matters.

Mr. T. P. O'CONNOR said, he was in the somewhat difficult position of having been left in charge of the Bill during the absence of the hon. Member for Cavan, with strict injunctions to carry it to a division; and the difficulty of the position was increased by the fact that he did not altogether agree with the proposal. He could see what the hon. Member had in his mind when he proposed the Amendment. According to the Bill, a list of persons arrested was to be laid before Parliament, and the hon. Member wished to have these lists decided upon. The Prime Minister, when speaking on the Bill at an earlier stage, had said that the suspicion upon which a man should be arrested should be "reasonable;" and when that was met by interruptions from the Irish Members—[*Cries of* "Oh! oh!"]—which implied that that was no safeguard, the right hon. Gentleman said—"The reasonableness of the suspicion can be challenged on the floor of this House." Well, the hon. Member for Cavan wished to take the Prime Minister at his word, and put in the Bill a power to have the reasonableness of the suspicion challenged on the floor of the House. As he did not wish to detain the Committee, he would content himself with these observations and would not press the Amendment to a division.

Question put, and *negatived.*

MR. J. COWEN moved, as an Amendment, in page 1, line 15, to leave out the word "without," and insert the word "with."

MR. O'DONNELL said, he had a previous Amendment, in line 13, to leave out "during the continuance of the Act."

THE CHAIRMAN: The hon. Member for Dungarvan's Amendment raises a point which the Committee has just decided. He would move to leave out words which it has been decided shall remain in. The Amendment, therefore, cannot be moved.

MR. J. COWEN, resuming, said, that during the discussion of this Bill great complaint had been made of the large amount of power that was to be given to the Chief Secretary. He (Mr. Cowen) quite admitted that. They were despotic powers. He proposed, however, to add to them. But the powers that the right hon. Gentleman had hitherto obtained were for the purpose of oppression; the power that he proposed to give was of a mitigating and moderating character. The object of the Bill, as stated by the Government, was to re-establish what they described as "order in Ireland." Their contention was that a state of lawlessness existed in that country, and that that lawlessness had been brought about by the action of persons whom they sometimes called "miscreants," and at others "village tyrants." These miscreants and tyrants, according to the statement of Ministers, had set on foot something like a reign of terror. Many of the people were afraid to run counter to their wishes or desires, and others sympathized with them. This was the Ministerial contention. He (Mr. Cowen) did not admit that it was a correct contention. The facts, in his judgment, were all against it; but, for the purpose of argument, he stated the case of the Government. The Bill was designed to give Ministers the power of arresting on suspicion persons whose actions were inimical to law and order. These persons would not be charged with an offence; but they would simply be put into prison and kept there for 18 months on suspicion. Now, it was impossible for the Irish Secretary sitting in London, or the Lord Lieutenant residing in Dublin—of themselves—to discover all these offenders, or supposed offenders. They must depend upon spies, informers, and detectives for their information. Those persons were not infallible. It was quite possible that they might make a mistake unintentionally. It was quite possible, too, that they might be influenced by vindictive and revengeful feelings, and that innocent persons might suffer in consequence. The case presented to the Lord Lieutenant or his Advisers might be such as to create a doubt in their minds. They might think there was some suspicion attaching to the individuals charged, though not sufficient to send them to prison. What he proposed was that the Lord Lieutenant should have the power of requiring the suspected persons to give bail for their conduct. This was a common practice in England. A man was afraid of being assaulted by his neighbour, and laid an information before a magistrate. The magistrate bound the offender, or threatened offender, over to keep the peace for a given time, and that was taken to be a sufficient security. Now, what he wanted the Government to have was power to act in Ireland in such cases as they acted in this country. It did not follow that they would take bail in every case. He knew that in accusations of treason or treasonable practices bail could not be taken. But agrarian offences were bailable. A single instance would illustrate his argument better than any lengthened statement could do. He referred to the case of the hon. Gentleman the Member for County Limerick (Mr. O'Sullivan). That Gentleman was arrested on suspicion, and kept in prison for some weeks, without being allowed to communicate with his family. Then he was sent to Dublin, where he was detained 14 months. No charge was ever preferred against him. It was a mere matter of suspicion. During all that time his business was seriously damaged. A former Irish Secretary had admitted that the arrest was made without sufficient grounds. Now, if the Lord Lieutenant had at that time been allowed to accept bail, the hon. Member would, no doubt, have got 50 persons to give any security as to his good conduct that the Government could have wished. That security being given, he might have remained at home, and conducted his business without any detriment to the State and with great benefit to himself and family. What he proposed was that such power should be taken by the Government. If they agreed to the principle of his Amendment, he would introduce words at a subsequent part of the Bill which would enable them not only to accept bail, but also to agree that a suspected person might leave the country rather than go to prison. Of course, if the Ministers refused to accede to his proposal, it was no use attempting to introduce the words that he had just intimated. He felt sure, if the Government would accept his Amendment, that it would do something—it might not be much—to soften the bad feeling that the present measure had created in Ireland.

Amendment proposed, in page 1, line 15, to leave out the word "without," and insert the word "with." — (*Mr. Joseph Cowen.*)

Question proposed, "That the word 'without' stand part of the Clause."

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) said, he did not intend to discuss the Amendment at any length. In a case of that kind, where it would be held desirable, in place of putting a man in prison, to obtain security for his good behaviour, the Lord Lieutenant would not arrest him at all. He did not think the words proposed were at all necessary.

MR. T. P. O'CONNOR could not think that the reply of the Attorney General for Ireland would be considered satisfactory. There were plenty of respectable men in Ireland whom this Act might reach, and who, under its powers, might be treated as the hon. Member for Limerick had been; why, therefore, should not the Lord Lieutenant have this optional power? Did the right hon. Gentleman wish to persuade the House that it would be impossible for any man who was innocent to be imprisoned under the Bill? Had not innocent men been put in gaol under previous Coercion Acts—men whose innocence was confessed the moment those Acts expired? If the Government wished to make this a preventive and not a vindictive Bill, so long as they could have a guarantee of the presence of a person who was suspected in the country, they had no right to put him in prison. Every single proposal that would have had the effect of rendering this measure less vindictive and more preventive had been rejected by the Government, and rejected with scant courtesy.

MR. CALLAN asked whether the right hon. and learned Gentleman the Attorney General for Ireland had mentioned his only objection to the other Amendment? He (Mr. Callan) thought the object of the Amendment could be carried out by enabling a Judge, with the consent of the Lord Lieutenant, to accept bail for a person's good behaviour. This would remove any technical objection to the Lord Lieutenant accepting bail.

MR. GRAY wished to know whether the Government merely objected to the Amendment on technical grounds, or whether they objected to the principle of liberating a man once he had been arrested? Any innocent man arrested under this Bill would hate the Government for the rest of his life. At present he was not a Revolutionist; but he was quite sure that if he was put in prison he should come out one, and would strike the Government by any means he could. There could be no question that under the suspension of the Habeas Corpus Act in 1866, plenty of men were arrested and morally murdered in prison. There could be no question about that. When an innocent man was arrested and driven to insanity by the treatment he received in prison, it was a moral murder. If, then, they could leave a loophole of escape by which they could prevent men from turning upon them when they came out, it was most desirable. He was afraid that the Government had made up their mind, in order to avoid any discussion on the

Report, not to change any of the provisions of the Bill; but they might give some assurance, similar to that which had been given in reference to the retropective clause, that they would consider the propriety, on the third reading, of introducing some provision to enable the Lord Lieutenant or the Chief Secretary to liberate persons on bail after they had been arrested. He thought the technical difficulty could be easily got over by the Attorney General for Ireland if he so desired.

Mr. LABOUCHERE said, they all knew that if the Bill passed through Committee exactly in the state in which it went into Committee there could be no debate upon the Report. If that was the intention of the Government, they ought to say so at once. Nothing could more tend to turn the Forms of the House into ridicule than for the Government to come down to the House with a foregone conclusion not to listen to any argument which involved the alteration of the Bill, not because they objected to the alteration, but in order that they might carry through the measure without delay on the Report. He hoped the Government would state whether this was so, because, if it was, there was no use going on hour after hour discussing these Amendments.

Mr. O'DONNELL said, the reason why he supported the Amendment was one which, although they did not hear it from the Ministerial Bench, was not the less true and valid—namely, that it was a mistake to suppose that all the persons liable to be arrested under the Bill were men of a low and and disreputable character. He could understand the Government refusing all Amendments if all the persons to be arrested under it were of the class of dissolute ruffians, of whom they had heard so much on the other side of the House. But the fact was, that the most influential agitators against the existing system of landlordism in Ireland—the agitators most bitterly treated by the local magistrates—were men of the highest character and moral worth. He would give an instance. The Secretary of the Land League in Dungarvan was one of the most respectable persons in the town. He was a gentleman of pronounced politicial opinions, who formerly held the Commission of the Peace, but was deprived of it on account of the warmth of his political views. This gentleman gave evidence before a Royal Commission as to the management of certain property in the district, and in consequence some of the magistrates had taken a deep hatred against him. Only the other day, one of them meeting him in the street, said, using an oath—"How dare you look at me or salute me?" Beyond doubt, this man would be as certain to attract the venom of the Act as any man in Ireland. His high moral character would avail him nothing, for he was looked upon as fanatical in his political and agrarian opinions, and he was, no doubt, already marked out for summary imprisonment by the majority of the magistrates of the county of Waterford. Surely, if such a man were arrested under the Bill, it would be a case for liberating him on substantial bail. The Amendment would weaken none of the powers of the Government for preventing outrage and maintaining order; it would only allow them to use a reasonable discretion in regard to accepting bail. It was curious to see that the right hon. Gentleman the Chief Secretary was afraid of nothing so much as trusting to his own judgment and discretion. The Amendment only went to the extent of allowing bail to be tendered; it did not oblige the Government to accept bail. There would seem to be a combination of hon. Members engaged in abusing the Forms of the House, and that combination of Members sat upon the Ministerial Benches. The reason why no Amendment was accepted was that the Government might deprive the House of the opportunity of considering the Bill upon another stage.

The ATTORNEY GENERAL (Sir Henry James) said, he should be sorry that the hon. Member for Northampton (Mr. Labouchere), or any other hon. Member, should believe there was a disposition on the part of the Government to refuse any reasonable Amendment. But the Amendment of the hon. Member for Newcastle (Mr. J. Cowen) would add to the arbitrary powers of the Government instead of diminishing them. What was it that the hon. Member proposed? If, under the Bill, the power of arrest was exercised by the Executive Government, of course there would be equally a power to allow the persons arrested to go at liberty. Did the hon. Gentleman suggest that instead of allowing a man to go at liberty, the Lord Lieutenant should direct him to be arrested and then admitted to bail? If he deserved to be arrested at all on reasonable suspicion of having been guilty of any of the offences contemplated by the Bill, he would deserve to be imprisoned. The proposal of the hon. Member was to place a temptation in the way of the Lord Lieutenant by giving him the power, where there was not believed to be sufficient evidence to justify imprisonment, of creating a secondary class of offenders, against whom there were no grounds morally to justify their detention, but who were to be admitted to bail. He did not think the Committee would sanction such a secondary kind of punishment as arresting a man and holding him to bail, especially when the Government had not asked for such a power. The Amendment sought to add to the powers of the Executive Government, by enabling them to require a man to give bail although there was not sufficient evidence to warrant his imprisonment. [" No ! "] That was really the fact. If the Lord Lieutenant was of opinion that a man ought not to be kept in custody, when the proper time arrived he would order him to be set free. He hoped the Committee would see there was no necessity for a long discussion upon this Amendment. It was impossible for the Government to accept it.

Mr. JUSTIN M'CARTHY said, the hon. and learned Gentleman had given the most extraordinary reasons for maintaining that this Amendment would add to the arbitrary powers of the Viceroy in restricting the liberties of the Irish people. Whenever he thought there was no further occasion for keeping a man in prison, of course the Lord Lieutenant would have the power of setting him free. But the Amendment asked that, in addition to the power of arrest, the Lord Lieutenant should also have power to admit men who might be arrested to bail. He failed to see in what way that would be adding to the arbitrary powers of the Viceroy. The hon. and learned Gentleman seemed to think that if the Lord Lieutenant had the power of admitting to bail, he would allow people to be arrested all over the country who would not be arrested as the Bill now stood. Now, he (Mr. Justin M'Carthy) asked why the Lord Lieutenant or the Chief Secretary for Ireland should not be entrusted with a limited power of admitting to bail? It would be a great improvement upon the Bill; and he was induced to repeat the question already put to the Government, whether they intended to accept no Amendment? If their minds were made up not to alter a single provision of the Bill, they might as well tell the House so at once, and inform the Committee that, in suggesting these Amendments, they were only wasting their time and breath; that they would not even argue the point, and that it would be a waste of time to expend words even in confuting the arguments that were raised.

Mr. RYLANDS observed, that so far from having shown any indisposition to entertain any reasonable Amendment, the Government had already accepted a most important one. [" No ! "] They had undertaken, on the third reading, materially to diminish the stringency of the provisions of the Bill. It was quite true that they had not accepted the Amendments offered to them, and that, so far, they had refused to amend the Bill in Committee. He dare say that his hon. Friend below him (Mr. Labouchere) was quite correct in his supposition that the Government intended to refuse to accept Amendments proposed in Committee; but the reason was that they thought it would be inconvenient to have another stage of discussion. It must be remembered that the House was now placed in an extraordinary position, and he quite concurred with the Government that it would be inconvenient to have upon the Report a repetition of what had been going on in Committee. But what he wished to point out was, that if the Government undertook to accept Amendments on the third reading, that was only a justification why suitable Amendments should be pressed upon them. As regarded the present Amendment, he entertained a strong opinion that the Attorney General for England was altogether correct in the view he had expressed. It was not a matter of law, but rather a question of what was likely to be the case in practice. If the Amendment were adopted, there would be two classes of operations under the Bill—one would be the arrest of a man under the suspension of the Habeas Corpus Act and the sending of him to prison, and the other would be the issue of a warrant for the arrest of a man who was not to be kept in prison but only admitted to bail. He believed the effect of a clause allowing men to be liberated upon bail would be to extend the power of arrest and imprisonment as it stood at present. He thought the Government were wise in not encouraging the alteration of the measure. He hoped to see it brought very little into operation, and that very few persons would be affected by it; but he could not support an Amendment that extended the operation of the Bill, because he was afraid that to do so would be, not to mitigate, but to aggravate the operation of the Bill.

MR. A. M. SULLIVAN understood the suggestion thrown out from the Treasury Bench was, that if they gave the Lord Lieutenant and the Chief Secretary discretion to admit a man to bail they would so abuse the discretion reposed in them that arrests would become common. It was a remarkable thing that the Attorney General for England was so sensitive as to the possible abuse of that discretion when he did not believe that the other discretion would be abused at all, which allowed the Executive Government to arrest and imprison men for 18 months. Upon that point they were quite ready to swear to the infallibility of their Pope in Dublin Castle. He could and would do no wrong. All the Amendment did was to allow the Lord Lieutenant or the Chief Secretary a chance of saying—"Here is a man arrested upon good grounds of suspicion; but if he can get substantial bail in his native village binding him to answer a year hence, or two years, or six months, any charge that may be made against him, it is only reasonable that, having given Constitutional security to the Crown, he should be liberated on bail." The Amendment of the hon. Member for Newcastle-upon-Tyne (Mr. J. Cowen) stripped bare another inch of this miserable coercion policy of the Government. There were few phrases dearer to Englishmen in the charter of their Constitutional rights and liberties than the phrase "bail and main prize," and even this little shred of liberty the Government were now proposing to take away. And what offences would there be that a man could not be arrested for? Last night he had quoted an instance which came to hand of a child who was arrested, and dragged before a bench of magistrates, for whistling disrespectfully in a street in which there was a magistrate. Here was the latest outrage which would afford ground for imprisonment on suspicion without bail and main prize. Would the defendant in the case he was about to mention have any chance of bail or main prize? The case was one brought by the police against Joseph Lacy, at Trim. A witness saw the defendant throw and kick a ball, and when asked his name, he held up his head in a most irritating manner.

THE CHAIRMAN: The hon. and learned Member is quoting a case of outrage which would not come under this Bill.

MR. A. M. SULLIVAN said, it was a case of outrage sufficiently grave for the police to report and prosecute; and it certainly was in its nature quite as grave as the breaking of a pane of glass in Widow Mulligan's windows, which had already been spoken of in these discussions. All that it amounted to was that a boy, when he was spoken to, held up his head in an irritating manner. He certainly hoped, even with a Coercion Bill hanging over them, the people of Ireland would continue to hold up their heads, and his great objection to the Bill was that it sought to make them bow their heads. He believed, in his soul, that if any attempt were made to perpetrate this degradation upon the English community it would lead to a civil war. They were doing it here against the Constitutional rights of the Irish people, and against the wishes of the Irish Representatives. If they counted the heads of the Irish Members who would go with them into the Division Lobby, they would find that the feeling of Ireland was overwhelmingly against them. Let there be no mistake about it; they were suffocating the voice of Ireland, and trampling upon the Irish people, by their steady and contemptuous refusal of these Amendments, many of which they knew in their hearts to be just, and wise, and true. They would not dare to come to the House of Commons, and refuse bail and main prize for an English-born man; but in the case of an Irishman he was to have neither the one nor the other, and should not even be heard in refutation of the accusations made against him. He defied them to show him such another measure in all the records of European despotism.

Even the victims of the Bourbons and the Bastile had some chance of bail and main prize, and of being able to point to the community, among whom they had passed their lives, for an answer to any charge that might be made against them. But here no bail and main prize was to be given. The Chief Secretary would not undertake that a personal hearing should be given to a suspected man; nor would he undertake to say—"If you give good bail we will liberate you." He was strongly tempted to say to the Government, who, in the question of bail and main prize, refused to give the benefit of a doubt to the prisoner, what was once said to a prosecutor in Cork—"I hope when you stand before the Great Judge on the last day he will give you the benefit of the doubt." The benefit of the doubt here was to be given against the prisoner. Bail and main prize, which were the last protection of a prisoner, were taken away by the Bill. The hon. Member for Burnley (Mr. Rylands), in his touching plea for public liberty, said they would have a better chance of securing that liberty by making the Bill as arbitrary and despotic as possible. The hon. Member was likely to have his views fully carried out; and he hoped the debate on these Amendments would go down in history as a monument for posterity, showing the love of Constitutional liberty and law which were manifested by Liberal Members and a Liberal Ministry.

Mr. CHARLES LEWIS thought that, after the extraordinary and high-flown speech of the hon. and learned Member for Meath (Mr. A. M. Sullivan), it would be difficult to come down to the regions of plain common sense. The Committee had been gravely informed that it was possible to make a boy, for whistling in the street, come under the provisions of the present Bill. It was impossible to reach a lower depth of absurdity. He opposed the Amendment, because he was of opinion that a case in which it would be right and proper to take bail would not be a proper case for arrest and detention under the Bill. It was subverting the ordinary course of affairs to suppose that such a case could occur. It would be liable to universal condemnation; and it was only aggravating injury, and adding insult to injury, to suppose that in the case of a man actually found innocent, the Government could make a smooth pillow for themselves, not by letting the man free, but admitting him to bail. The Amendment came to him from a source which entitled it to respect—for they understood the *bona fides* of the hon. Member for Newcastle (Mr. J. Cowen), although they might not agree in the hon. Member's extreme views—but he was unable to support it; and he felt that the continued discussion of it only amounted to an unnecessary prolongation of the debate.

Mr. BIGGAR understood that the Amendment would afford an opportunity for the re-hearing of a case, and he would therefore support it, because he failed to see in the Bill any provision by which an accused person would be able to appear before the Lord Lieutenant or the Chief Secretary for a fresh decision. If, however, the Amendment were adopted a prisoner would have an opportunity of having his case re-heard. The contention of the Government was altogether untenable; and the only reasonable way out of the difficulty, where there was a doubt, or the possibility of a mistake, was to say that there should be a fresh hearing. It was, unfortunately, the case that in Ireland the governing classes had no idea whatever of justice; and unless the Bill contained clear and specific instructions justice would be ignored. The Bill proposed that parties should be condemned on *ex parte* statements, and that the prisoner should not even hear the charges made against him, or upon what evidence he was arrested.

Mr. LEAMY said, it might, perhaps, be fairer if the Government objected to the Amendment in the case of treason, treason-felony, and treasonable practices; but, as the Bill stood, it would empower the Lord Lieutenant to arrest a man suspected of inciting to an act of violence or intimidation. It was proposed to give the Lord Lieutenant power to sentence a man to 18 months' imprisonment on suspicion of inciting to an act for which, supposing a man committed it and was charged before a Court and found guilty, he might only be liable, under the ordinary law, to three months' imprisonment. Surely, under those circumstances, it was not unreasonable to ask that a person merely suspected should be admitted to bail. A man would be arrested for the purpose of detaining him and preventing him from committing further outrage; but surely that object would be effected if he were allowed to go out upon substantial bail. If this Bill was actually aimed at men of the worst class named by the right hon. Gentleman the Chief Secretary for Ireland, it was utterly absurd to suppose that men of that kind would be able to get substantial bail; the mere fact, therefore, of a person being out upon bail would be a proof that respectable people believed him to be innocent of the offence with which he was charged as well a guarantee for his future good behaviour. His chief objection, however, to this part of the clause was that under it a man might be imprisoned for 18 months for an offence that, under the ordinary law, would only render him liable to three months' imprisonment.

MR. FINIGAN failed to see why Her Majesty's Government should not accede to this Amendment, inasmuch as it would only apply, as his hon. Friend had just pointed out, in cases where a person had been wrongfully arrested—that was to say, upon suspicion, which might turn out to be unreasonable. He did not see what injury would be done in that case; and as the power given to the Lord Lieutenant to admit persons to bail would be dependent on evidence brought before him after the committal of the unfortunate individual, no injury either to the law or the provisions of this Bill from the Government point of view could take place. He trusted they would not allow it to go forth to the people of Ireland that the principles expressed by them were not consonant with the real principles of the Bill. He thought that if, through the zeal of some officials, a person not liable under the ordinary law were arrested, the Lord Lieutenant should have permissive power to admit him to bail.

MR. MACDONALD thought the Amendment of the hon. Member for Newcastle deserved the earnest attention of Her Majesty's Government, and not only so, but of every lover of liberality and fair play in that House. For his own part, he was tired of hearing the Chief Secretary talk of personal kindness; and he therefore appealed to the Premier to leave one outlet and way of escape to the unfortunate persons who otherwise would be liable to imprisonment for 18 months, during which the Chief Secretary and the Lord Lieutenant could confine them.

MR. BYRNE gave his entire support to the Amendment. It was a subject for satisfaction that he and his hon. Friends were trying to discharge their duty to their constituents under great discouragement, not to say opposition. If Her Majesty's Government accepted the Amendment they would not in any way injure their position, for they would have the option of refusing to accept bail under proper circumstances. The Amendment would only prevent some persons who could give a satisfactory explanation to the Lord Lieutenant from being locked up for 18 months.

Question put.

The Committee *divided*:—Ayes 141; Noes 44: Majority 97.—(Div. List, No. 45.)

MR. STANSFELD, in rising to move, as an Amendment, in page 1, line 16, after "main prize," to insert—

> "And every warrant whereby any person is declared to be reasonably suspected of any crime or crimes, other than high treason, treason-felony, or treasonable practices, shall specify such crime or crimes, with particulars of time and place,"

said, he would promise—first, that his statement should be as concise and, he hoped, as clear as it ought to be; and, secondly, that if his arguments should succeed in convincing his right hon. Friend the Chief Secretary for Ireland, it would be perfectly immaterial to him whether he acceded to his view at that or another stage of the Bill. He asked the attention of the Committee to the wording of the 1st clause of the Bill. In the first part of the clause the Bill dealt with one class of offences—namely, treason, treason-felony, and treasonable practices. With regard to those offences, he (Mr. Stansfeld) could perfectly well understand that Her Majesty's Government might feel great objection and difficulty in acceding to the proposal to state the particulars of those offences, as well as the time and place on the face of the warrant, for the reason that they were crimes arising out of a succession of acts which might be stated in an indictment or information, but which could not be expected to find their place on the face of a warrant. But he desired especially to call attention to the distinction in the phraseology and in the construction of the 1st clause. In the first part of the clause the terms treason, treason-felony, and treasonable practices, were terms of definition, and were collective words. They either defined the nature and character of the offence, or they were the collective representation of a long series of acts which amounted to those offences. But when the latter words of the clause were reached there was so marked a distinction that it was impossible to conceive it could exist without a clear purpose in the mind of the draftsman of the Bill. He (Mr. Stansfeld) found, then, they came to consider not crimes, acts of violence, or intimidation, or the inciting thereto, but a crime, an act of violence, or intimidation, or the inciting to an act of violence or intimidation. The Committee were aware that the arbitrary power about to be vested in the Lord Lieutenant could not come for question or revision before a Court of Law. But he (Mr. Stansfeld) was prepared to express his opinion that, in this part of the clause, reference was made to the specific acts of individuals. The phraseology was extremely specific, and the only cases, he would repeat, which the clause had in contemplation were, first, an act of violence or intimidation, or the inciting to an act of violence or intimidation—that was to say, according to his reading of it, a specific act of violence or intimidation, or the inciting to such specific act. In those words they came to the class made familiar to the mind of the House by the words of the right hon. Gentleman when he spoke of the "village tyrant" and the "dissolute ruffians." They were not speaking there of high crimes and misdemeanours, but of indefensible acts or incitement to indefensible acts. There had been some discussion how far speeches at public meetings might bring those who had spoken within the terms of the clause. His (Mr. Stansfeld's) interpretation of the clause—and he challenged the expression of a different opinion—was that the Lord Lieutenant would not be entitled to arrest and detain a speaker, the general tendency of a succession of whose speeches was to incite possibly to crimes of violence or intimidation. He did not doubt that his right hon. Friend knew well what he was about when the clause was so conceived. It had been confined specifically, and pointedly directed, to individual acts of violence, or inciting to such individual acts. His argument was this—that the Amendment which he had placed on the Paper was entirely consistent with the necessities of the case placed before them by the Government, and it had been suggested to his mind by the drafting of the clause. Now, what was the mischief against which, so far as those offences were concerned, the Government was to have power to guard—acts of violence or intimidation? They had heard from the Government those acts were of an agrarian character, and that, although in some of such cases witnesses had appeared to give evidence, juries would not convict. That was the whole of the case; but that evil or defect in the law, so far as the present difficulty arose, was met by confiding the proposed power to the Lord Lieutenant. The Act would give him power to judge of a case without open Court and the intervention of a Judge or jury, and to act on reasonable suspicion in his own mind. It might be even difficult, or practically objectionable, to make the evidence public; but he failed to see, according to the Government's statement of the necessities of the case, why there should be any objection to stating on the face of the warrant the specific incitement, or act of violence or intimidation, which was the ground of arrest and detention. In ordinary cases a warrant contained such particulars; and in ordinary cases a warrant was merely a first step in the case, to be followed up by trial in open Court before a Judge and jury. He thought there should be no objection, when such arbitrary power was conferred, particularly in cases of that kind, to adopting the course he proposed. He was not proposing to limit the action or judgment, or to interfere with the responsibility of the Chief Secretary for Ireland or the Lord Lieutenant; but when the Lord Lieutenant had decided, he could not see why, in a simple case of violence or intimidation, the Government should refuse to make a specific statement on the warrant; and he feared they would place themselves in a wrong light and position before the country if they persisted in refusing to adopt that suggestion. They asked hon. Members to oppose limitations on the arbitrary power they said it was necessary to confer on the Lord Lieutenant; and he thought that the course he proposed was in the interests of liberty, and one which they had right to ask the Government to assent to. The Government proposed some limitations on the power they asked Parliament to concede, and provided that within the first seven days of every month a statement of the arrests made, and the names of the persons arrested, should be laid before Parliament. He thought that it was not unjustifiable to urge that if that power was to be conceded, hon. Members were entitled to ask the Government, in return, to show on the face of the warrant why a man was arrested. Parliament would not be judges of the facts of the case, or judges of the reasonableness of the suspicions of the Lord Lieutenant; but let them, at least, have the right of exercising some judgment upon the question, whether, upon the showing of the Lord Lieutenant, giving him the benefit of his own judgment alone, he had acted within the limitation which the Government themselves had proposed in the clause. Some of the Members on that side of the House had been, and were, supporting the Bill partly, and some very largely, on the ground of the character of the Government. He (Mr. Stansfeld) did not say that was a good ground, and he entirely acquitted the Government of asking for the powers they desired on that ground; but, as a matter of fact, that consideration had affected the minds of many hon. Members; and what he would say to the House was this—let them not forget that they were creating another of those unhappily numerous precedents of Coercion Bills in Ireland, and that it might be, at some future time, under different circumstances, that what they were doing to-day might be thrown in their faces, and they might be asked, when they were less disposed to place confidence in a Government than now, to enact another Coercion Act. He therefore urged on the Committee, and on the Government, if that power must be conceded, as the vast majority of the Members believed, let them not ask, let them not willingly concede one jot or tittle more than was called for by the necessities of the case as stated by the Government itself. In conclusion, he would move the Amendment of which he had given Notice.

Amendment proposed,

In page 1, line 16, after the words "main prize," to insert the words "and every warrant whereby any person is declared to be reasonably suspected of any crime or crimes other than high treason, treason-felony, or treasonable practices, shall specify such crime or crimes, with particulars of time and place."—(*Mr. Stansfeld.*)

Question proposed, "That those words be there inserted."

MR. W. E. FORSTER: I can assure the right hon. Gentleman that we have given the closest consideration to this subject, and also to the Amendment he proposes. His antecedents, and his position in this House, would have commanded the fullest possible consideration of his proposal; and I hope that neither he nor any other hon. Member of the Committee will suppose that we are determined to force this Bill through as it stands in order to avoid the stage of Report. I do not deny that we should be glad to avoid that stage; but that is no reason why any change which ought to be made in the Bill should not be made. But it might save the time of the Committee if any such change as may be desirable could be made at a more convenient time. In this Bill we follow the precedents of past Bills—or rather of the Westmeath Bill—for that was the first Bill that put on the Table of the House the grounds of arrest, and under which the grounds were stated in the warrant. That concession was then made for the first time, and we thought it right to continue it in this Bill. But I am willing to admit that the fact that this Bill is like previous Bills is no reason why we should not make any change if it should seem desirable. I wish to state exactly what it is proposed to do by this Bill. There are seven classes of offences in the Bill; treason, treason-felony, treasonable practices, acts of violence or of intimidation, inciting to acts of violence, and inciting to intimidation. My right hon. Friend's Amendment clearly applies to the last four of these. We understand by the Bill that the warrant—reading this part of the clause with the sub-section—will oblige us to state, on the face of the warrant, which of these seven offences the individual is arrested upon. Now, I do not quite gather whether that would satisfy my right hon. Friend. I suppose it would not. I suppose he thinks we ought to go further, and state the exact case, and the particular time and place where the offence was committed. We must remember that the real test of the warrant will be the puting it on the Table of the House. The effect of putting in all these particulars would almost necessarily and certainly be to turn this House into a Court of Appeal in each case. I do not see how that could be avoided. I believe it could not work in practice, and I do not believe that the House would be in a condition to act as a Court of Appeal. We must not forget the grounds on which we find it necessary to pass this Bill at all. It is because we believe there is existing in Ireland an amount of lawless intimidation which defies the ordinary mode of justice. If the House does not believe this, then the Bill ought not to be entertained. Suppose we state on a warrant that such a man is arrested on reasonable suspicion of having maimed cattle, or fired into a house, or fired at a person, or any one of those offences which we have reasonable suspicion he has committed, but have not got, and cannot get, in a Court of Justice evidence which would enable us to do without this mode of preserving law and order, we may be perfectly certain that this will happen—that hardly a man in the neighbourhood — unless we have broken in on this system of intimidation —will dare to refuse to sign a statement that he believes the man to be innocent. That is the sort of case which would have to be tried in this House. I do not think we could possibly work the Act in that manner; and I do not think the House would be prepared to give up its time for that purpose, or that it conceives itself to be a tribunal for reviewing such cases in detail. And, most assuredly, if the particulars of a particular crime are to be given, it will be almost impossible to refuse to allow persons who sympathize with the individual, or who take his part, to have the case thoroughly debated before this House. This is open to objection; then what remedy is there? Suppose there is injustice, what remedy is there? There is none. There is no remedy. There is no doubt about it; and there is no doubt, as I admitted in my opening statement, that the Bill will give this arbitrary power to the Executive. It ought not to be given except on the strongest possible grounds; and I do not believe that, by any sort of machinery you can adopt, you can give this power and take it back at the same time. It is a very natural thing for my right hon. Friend, and for hon. Members opposite, to say—"We will check this power by making this House a Court of Appeal;" but I do not believe it can possibly be worked in that manner, and I must repeat that I do not think the House would be in a position to get the facts before them. We think the House ought to be informed, and the public ought to be informed, of the nature of the different kinds of offences for which these people may be arrested, and of the number there are in each case; but I do not see how it is possible to go further to carry out our Bill. I admit that this power ought not to be given except on the ground of the greatest possible urgency, and so it must be given on this occasion.

Mr. M'COAN said, he had listened with positive astonishment to the speech of the Chief Secretary, though not with much disappointment at his refusal to accept the Amendment so reasonably and authoritatively recommended to the Committee by the right hon. Member for Halifax.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

Mr. M'COAN, resuming, repeated that he had listened with amazement to the speech of the Chief Secretary, though it was not with much surprise that he refused to accept the Amendment of the right hon. Member for Halifax, since it was now evidently the intention of the right hon. Gentleman the Chief Secretary to refuse every possible Amendment that could be proposed. He had had some hopes, when the right hon. Gentleman (Mr. Stansfeld) rose to support the Amendment, that a suggestion made with such personal weight and so much force of argument would have had some chance of acceptance; but the Chief Secretary had not simply refused to adopt the Amendment, but he had said what had swept away the whole previous conception of nine-tenths of the hon. Members of the House, based upon the statement of the Prime Minister himself. He had admitted with cynical frankness that the House was to have no sort of power of review or control over the exercise of the law by the Lord Lieutenant. In one of his speeches, one of the strongest points made was that the ultimate power of review would virtually rest with the House; and under subsection 3 it was provided that a list of all persons detained, with a statement of the grounds upon which each person was detained, should be laid before Parliament within the first seven days of every month. The Prime Minister had stated that in that provision there was ample security against any possible abuse of the powers of the Bill, and that if any abuse was attempted the House would be in a position to pronounce upon the action of the Lord Lieutenant or the Chief Secretary. That had been the one gleam of hope, and the one element of reconciliation, with the Bill in his mind; but when the Chief Secretary now avowed that hon. Members had been under misapprehension, and that the power was to be purely and simply a tyrannical power, over which the House of Commons would have no control, he was positively amazed. When the Government was asked, but refused, to provide some small protection against abuse of the powers of the Bill by inserting on the face of the warrant the particular act for which a man was arrested—which would not have interfered with the fullest exercise of the powers of the Bill—the confidence he had previously expressed in the good faith and excellent intentions of the Chief Secretary was considerably shaken. The only possible feature which could have reconciled the House to the Bill was that if it should be grossly abused, in the last resort there would be the ultimate Court of Appeal against every abuse in the Empire—namely, the House of Commons. He did not think it was likely that the House would interfere unduly with the discretion of the Lord Lieutenant; but he had hoped that the Government would have given them some slight protection against the tyrannical exercise of the Act, which the proposed Amendment would have afforded.

MR. BRADLAUGH regretted exceedingly that the Government could not accept the proposed Amendment, and he proposed to direct special attention to two classes of offences to which the Amendment particularly applied. One was the act of intimidation; the other was inciting to intimidation. Last night he had tried to impress on the Law Advisers of the Irish Executive that in the words "act of intimidation" were included, as crimes known to the law, assemblies which the Prime Minister had been understood to say the measure was not intended to touch. He had, however, failed to elicit any reply, and he would repeat that argument. It had been laid down by Mr. Justice Bayley, in "The King *v.* Hunt," in 1820, by Justice Holroyd subsequently, and previously by Lord Chief Justice Holt, that any assembly in great numbers meeting together to complain of a common grievance, might be, and had been, ruled be an unlawful assembly, if there was an appearance of large numbers of people which created terror in the minds of people in the neighbourhood. In two of those cases there was not the slightest pretence for alleging any breach of the peace whatever; but the meetings were declared unlawful assemblies, and some of the people were convicted. That was a crime known to the law, and those cases came entirely within the scope of what the Attorney General for Ireland had to deal with in the present Bill. These matters might be either grave or trivial. There had been definitions of acts of intimidation in the Returns presented to the House, some of which were so grave that no one would hesitate to give to the Executive power to do anything to stop them, such as firing in the neighbourhood of houses, or breaking into houses; but some were so trivial that it would be monstrous and ridiculous to give any power to arrest persons upon them. But unless the particular act of offence was stated in the warrant, there would be no means by which the House could know the character of the offence. But the objection of the Chief Secretary was that the Amendment would make the House a Court of Review. Surely the Prime Minister, in speaking on the Motion for leave to introduce the Bill, said that any case of arrest might be challenged on the floor of the House; and if that did not mean that the House was to be a Court of Review, then words had no meaning at all. By sub-section 3 there was to be laid on the Table of the House a statement of the grounds of every arrest; but if the ground alleged was only intimidation, the House would not know whether it was one of the gravest acts of intimidation, such as a threat to murder, or to mutilate, or to disfigure, or one of the most trivial acts. He submitted, therefore, that sub-section 3 was utterly delusive, unless the Amendment now proposed was accepted—that the details of the grounds of the arrest should be stated on the face of the warrant. If the grounds stated were not to be the real grounds of the arrest, why should anything be laid on the Table of the House? The fact that a man had been arrested would be known from a hundred sources; but if the House was not to be a Court of Appeal that subsection had better be left out of the Bill altogether. He wished to know whether the crimes known to the law were to be such cases as Lord Chief Justice Holt, Mr. Justice Bayley, Mr. Justice Holroyd, and Lord Ellenborough held to be as he had described them? The House was entitled to ask that the Law Officers of the Crown should, in some distinct fashion, state exactly what was intended.

Mr. GIBSON thought it would be in the best interests of Parliament that the proposed Amendment should not be entertained. What was the whole scope and structure of the Bill? It was a Bill which, for the highest and supremest purpose—the safety of the State—intrusted Her Majesty's Government for the time being with great powers; and the Amendment sought, practically, to revoke that trust. They must trust the Government under the Bill; and it would be impossible in one moment to express trust in the Government, and then, by a series of Amendments, to nibble at that trust and cut it down to nothing. The whole structure of the Bill at present was that it vested in the highest Representative of the Queen in Ireland the power by warrant to take away for a certain time the liberty of some of Her Majesty's subjects; and it prevented any of the Queen's Courts from investigating or considering the validity of the Lord Lieutenant's warrant. The structure of the Bill—and it was not challenged by a single Amendment—was that the Queen's Courts in Ireland, which were the Courts always intrusted with the power and obligation of decisions, were excluded from the consideration of the validity of the Lord Lieutenant's action; and yet the Committee were asked, practically, to add to the already numerous functions of the House the duty of considering at length, and at all times, all questions which might be suggested in reference to each particular commitment. Surely Parliament had enough to do without being made a Final Court of Review for each particular commitment. And really the question lay in a nutshell. Suppose the Amendment was carried. He ventured to think that when the Bill passed into law it would operate in such a preventive way that there would be but a limited number of arrests, for the entire history of such legislation showed that there were few arrests. Under the Westmeath Act of 1871 there were only 19 arrests, and that was a very stringent Act, which would have theoretically enabled the Executive to have arrested a great number of persons, as it had been prophesied they would do. But he would ask the Committee to take it that when the present Bill became law the Executive would temperately, and with great moderation and forbearance, exercise the powers intrusted to them, and make a limited number of arrests. He ventured to think that when Parliament met next Session, every single person arrested would, if the Amendment were adopted, be made the theme of a debate which might last for several days. Was it desirable, in the interests of Parliament, that when they necessarily took from the Queen's Courts the power of reviewing the warrant of the Lord Lieutenant, they should assume to themselves, without judicial training or machinery, that duty? He hoped the Committee would decide that it was in the interests of Parliament, and that it was carrying out to its logical conclusion the second reading of the Bill, to refuse to accept the Amendment.

Mr. PUGH differed *in toto* from the right hon. and learned Gentleman (Mr. Gibson). He did not think it right that they should hand over all their powers and responsibilities into the hands of Her Majesty's Government unless it were absolutely necessary to do so for the maintenance of peace and order. He had no wish to advocate any Amendment that would impair the efficiency of the Bill; but he did ask the Committee if they thought any protection could be given to these people without impairing the efficiency of the measure to give them that protection, and not for a moment listen to such arguments as they had heard from the right hon. and learned Gentleman. No doubt, he placed a larger amount of trust in Her Majesty's Government than the right hon. and learned Gentleman did; but he did not think it was necessary for the right hon. and learned Gentleman to place in the mouth of the right hon. Gentleman the Chief Secretary the words of the poet—

> "Trust me not at all; or all in all."

That was the real argument which was at the root of the opposition to the Amendment. Hon. Members on the Front Opposition Bench met all the Amendments suggested with the remark that perfect trust was to be placed in Her Majesty's Government. The question was not whether they were to make a Court of Appeal, and what that Court of Appeal should be, but whether, if they gave to Her Majesty's Government the power of arresting a man and imprisoning him without any evidence at all, it was just or fair that he should know the reason why he was arrested, and that his friends also should know. It would be taking up the time of the Committee unnecessarily and improperly if he were to enter at length into that point, because he was sure the Committee would feel that it was simply right and fair and reasonable that a man, when he was arrested, should be told the reason why he was arrested. It would be most unreasonable to commit a man to prison, and not to signify to him the nature of the crime charged against him. They heard from the Treasury Bench that if a man appeared to be innocent the Lord Lieutenant had power to discharge him. He admitted that the Lord Lieutenant would have that power; but it was also desirable that the man who was arrested should have every facility for laying before the Lord Lieutenant the grounds upon which he ought to be discharged. He did not want to make the House of Commons a Court of Appeal, nor to have every case dragged before the House in order to show that the suspicion upon which the Lord Lieutenant had acted was well founded; but he did want that the man, when arrested, should have every facility for satisfying the Lord Lieutenant that he was not guilty of the charge preferred against him. It was for that reason alone that he supported the Amendment, and he trusted that the Committee would concur in the views of his right hon. Friend who had brought it forward. He trusted that the Government, before the Committee came to a decision, would re-consider the matter. On that (the Ministerial) side of the House, they certainly wished to see some attempt at conciliation in the matter. Many hon. Members, as well as himself, had been struck yesterday by the immediate effect produced upon the minds of the Committee by the conciliatory course taken by the Prime Minister. He was sure that the country was prepared to back up the Government in regard to the main principles of the Bill, and that they approved of the course taken by the House in reading it a second time. But he did not believe that the country would regard with favour the opposition in Committee of every attempt to mitigate the severity of the Bill wherever it might be safely mitigated. On the contrary, he believed it was the wish of the country generally to see every safeguard thrown round the persons who would be rendered liable to the operation of the measure.

MR. O'DONNELL thought, quite apart from any intention of making the House of Commons a Court of Review or Final Appeal upon the justice or injustice of arrests under the Act, that every facility should be given to the suspected and imprisoned man himself to supply the authorities with such proof as was in his power to show that he was unjustly suspected. If they were not arbitrarily to assume that the Government intended to be an unjust Government, and that the right hon. Gentleman the Prime Minister, whose name was synonymous with liberty and the protection of liberty in so many countries, meant to govern Ireland as an insulting and reckless tyrant, then, in justice to the Government themselves, they ought to place within the power of persons suspected under the Act a full and fair opportunity of proving to the Government whether or not they were justly suspected. When a man was arrested on information derived from a source with which he could not be acquainted, and sentenced to 18 months' imprisonment upon such information, without any statement being made to him as to the nature of the act on suspicion of which he was subjected to this heavy punishment, no matter how innocent he might be, and how inclined the Government might be, if he showed his innocence, to liberate him, it would be impossible, in the absence of some such Amendment as that moved by the right hon. Member for Halifax (Mr. Stansfeld), to place the Government in possession of the facts of the case. The right hon. and learned Gentleman the late Attorney General for Ireland (Mr. Gibson) was quite within his *rôle,* as a Party champion, in supporting the new reading which the Chief Secretary had given of the declaration of the Government on the subject. But the last declarations of the Chief Secretary were in direct contradiction to the pledges which the Government gave in the earlier stages of the Bill. The Government pledged themselves to lay upon the Table of the House the Returns of arrests, together with such explanations of the grounds of the arrests as would allow hon. Members to challenge the conduct of the Government. If there was to be nothing laid upon the Table of the House but the vague, ambiguous, and misleading statement that A. B., the imprisoned and suspected person, was guilty of some act coming under a general head of intimidation or inciting to an act of violence, there would be no data furnished to the House upon which they could proceed, or upon which any individual Member could proceed, in bringing the case under the notice of the House, or in pursuing any course which might tend to elucidate the right or the wrong of the matter. The Amendment only sought to provide that every warrant by which a person might be declared

> "To be reasonably suspected of any crime or crimes other than high treason, treason-felony, or treasonable practices, should specify such crime or crimes with particulars of time and place."

Did Her Majesty's Government intend to put a man in gaol without a reasonable suspicion that he had committed any specified act whatever, without acquainting him with the particulars of time and place under which he was suspected; and did they intend, under such circumstances, to sentence him to a long term of imprisonment? If they did not intend to do so, they were bound by every consideration—by Constitutional decency itself—to furnish the accused with these particulars, and to furnish Parliament with the particulars also. The right hon. Gentleman the Chief Secretary had now cast them ask aside, and had declared that there was to be no appeal from the act of the Government under the provisions of this measure; that there was to be no opportunity given to the Irish Members or to the accused persons to test the accuracy of the charges on which the Irish people were to be deprived of their liberty. If that was the case, it was a bare, and naked, and insulting despotism which the Government sought to impose upon Ireland. The Government, strong in the possession of their Liberal majority, might defy the public conscience itself; they might scorn the protests of the Irish Members, but, before long, the Liberal Government would not be the Liberal Government, but only a Liberal Opposition in that House; and on that day it would be remembered bitterly to them how they had insulted and how they had defied the Irish nation, and refused to the Irish people even the poor guarantee of having it stated under what circumstances of time and place Irish citizens were to be deprived of their freedom, their liberties, and their rights. He had said that the right hon. and learned Gentleman the late Attorney General for Ireland (Mr. Gibson) was perfectly within his *rôle* as a Party champion in coming forward and supporting the apostacy of the Liberal Party, because it would be a trump card for the Tory Party to remind not only their own supporters, but all that intermediate class of politicians who were in the habit of wavering between Party and Party, and who formed their opinions independent of Party considerations, how a Liberal Government dealt with the protestations and appeals of the Irish nation. A Tory Government might feel justified in refusing all particulars and all concessions, because they based their right on mere authority; but it was the policy and the pretence of Liberalism that it only interfered with private or public liberty on specific grounds and for weighty reasons. ["Question!"] That was exactly the question, and hon. Members should not try to throw an obstacle in the way of the exposure of Her Majesty's Government on this particular question and on this specific Amendment. If Her Majesty's Government did not intend to establish an unmitigated and irresponsible tyranny in Ireland they were bound to accept this Amendment. ["Question!"]

Mr. MACLIVER asked if the hon. Member was speaking to the Question before the Committee?

The CHAIRMAN: The hon. Member is certainly going somewhat wide of the Question; still, I can see the way in which he desires to make his argument bear.

Mr. O'DONNELL was not surprised at being interrupted by an hon. Member who sat in the immediate vicinity of Her Majesty's Government. Her Majesty's Government, had, doubtless, instructed their supporters not to see the relevancy of any argument that might be brought forward by the defenders of the rights of the Irish people. The Irish people and the Irish Members had been deceived from the beginning to the end by Her Majesty's Government. The Government now openly refused the acceptance of the most moderate precautions and the most just provisions suggested in the Amendment of the right hon. Member for Halifax. Their last hope was gone that an opportunity was to be given to the House—in which, most assuredly, Irish nationality did not stand at a premium—to revise, or consider, or examine, with the slightest acquaintance with the details, the policy of Her Majesty's Government in Ireland. Her Majesty's Government had entered into a compact with themselves—and there was no authority they respected more highly—to carry this Bill through Committee without amendment.

The CHAIRMAN: That argument has been so often repeated that it carries the hon. Gentleman quite out of sight of the Amendment before the Committee.

Mr. O'DONNELL was prepared to accept with the greatest satisfaction the ruling of the Chair, and was prepared to admit that it was now taken as a common-place truism on both sides of the House that such was the policy of Her Majesty's Government. At the same time, he respectfully submitted that if the Government reasonably suspected a man, they were bound to state the reasons on which they suspected him, and if they refused the reasons the Irish Members could only come to the conclusion that there had been a change in the constitution of the European State systems, and that Bomba, no longer King of Naples, was now Member for Mid Lothian.

Mr. H. SAMUELSON would respectfully appeal to Her Majesty's Government to consent to this Amendment. ["Oh!"] Hon. Members were impatient; but he did not see how the Bill could be properly discussed if hon. Members such as himself, who had hitherto taken no part in the discussion, were not to be allowed to offer an opinion. As he had said, he was anxious to make an appeal to the Government not to reject the Amendment. Hitherto they had not found their supporters on that side of the House backward in giving them every assistance in their power. They had all of them put a trust in the present Government, which they would not have put in any other Government they had known in past times. They had voted for the Bill, although they strongly disliked it, because they had full confidence in the present occupants of the Treasury Bench, and because they felt bound to take their word, given upon their reponsibility as Ministers of the Crown, that it was absolutely necessary for the restoration of law and order in Ireland. Many of them would not have voted for it if it had come from the opposite side of the House. He felt himself justified in making this appeal, because they had voted, having confidence in Her Majesty's Government, in the full belief that the true interests and the real liberty of the subject would not be allowed to be interfered with by the Bill. They had not the same confidence that such a measure would have been moderately carried out by those to whom they were politically opposed. But having supported the Bill for the reasons he had stated, they asked the Government to assist them now, and in return to have some confidence in their supporters, when their supporters felt impelled by a sense of duty to oppose them in some of the details of the Bill. The Amendment was offered in no obstructive spirit, the name of the right hon. Gentleman who had introduced it, himself a former Cabinet Minister, being a sufficient guarantee that it deserved consideration, and the want of readiness to meet the Amendment was more likely to delay the progress of the Bill than the acceptance of so reasonable a proposition. He had been for ten years a Member of that House, and he had never seen a measure of such magnitude and importance passed through the House without Amendment. He fully believed the right hon. Gentleman the Chief Secretary when he stated that although the Government would like to have the Bill passed without Amendment, yet they would not attempt to adhere to that resolution if any Amendment was proposed which they believed they could reasonably accept. The hon. Member who last addressed the House had spoken of the Government in a manner which he (Mr. Samuelson) believed to be perfectly unwarranted. Such language made it difficult for independent Members to vote with the Irish Party. There had never been a Government which had done more for Ireland, or intended to do more for it. The Amendment proposed by the right hon. Gentleman the Member for Halifax would not, in his opinion, have the effect of altering the real purpose and tenour of the Bill. It would be no more likely to make that House act as a Court of Appeal than the Bill would as it stood at present, by the 3rd section. On the contrary, it seemed less likely that attacks would be made on Her Majesty's Government for the action of the Lord Lieutenant when evidence was given as to the reason why a man was committed to prison without trial, or arrested on suspicion upon a warrant, than if he were committed to prison on general grounds. In supporting the Amendment, he believed he was fully justified by his relations with his constituents. When he consulted them some time ago, he told them he would vote for the passage of the Bill through the House; but that he would consider every Amendment proposed in Committee, and vote for or against it as he thought right. He thought in this case the Amendment would not, as the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) had stated, in any way revoke the trust which Parliament agreed to place in the hands of Her Majesty's Government; because, although, at the present moment, by Section 3 the consideration of every case was committed to the House, yet they all knew that every single case was not intended to be considered in detail on its merits. The only object was to give an opportunity, in a case of imprisonment on insufficient grounds, to impeach the officers of the Government for their action. He gathered that the words which followed in this very clause—

> "And every such warrant shall be conclusive evidence of all matters therein contained, and of the jurisdiction to issue and execute such warrant, and of the legality of the arrest and detention of the person mentioned in such warrant,"

would altogether prevent the House from passing in detailed review every individual case of arrest. He thought the right hon. Gentleman the Member for Halifax, in proposing this Amendment, was actuated by the belief that there was a general wish on the part of the House to take away, if possible, from the Bill anything which might be unnecessarily oppressive. The Amendment was proposed in order that the country might be satisfied that some definite offence was aimed at by the person arrested, and that he was not arrested for a course of conduct which, in the opinion of the authorities at Dublin Castle, might, in some indefinite manner, be calculated to lead to a breach of the eace. He could assure the Government that if they accepted the Amendment, or something that would have the same effect, it would be satisfactory to Members on that side of the House. He felt disposed to support Her Majesty's Government in regard to the Bill as he had done hitherto; but he did think it would be a graceful act on their part if, instead of resisting every Amendment, they were willing to accept one which was proposed in no factious spirit, but because it was believed that, while not impairing the value of the Bill, it would give to the country at large and the people of Ireland, and the Members of that House, a satisfactory feeling that nothing was intended to be done that was not perfectly fair and aboveboard in the matter of these arrests.

Mr. DILLON remarked, that this was one of the most important Amendments that had been placed on the Paper. The principle at stake was an exceedingly great one—namely, whether the interpretation of the purpose of the Bill which had been given by the Prime Minister was the true interpretation, or the interpretation which had been given by the Chief Secretary. In order to illustrate the principle underlying the Amendment, it was necessary to point out that the Prime Minister had announced a totally different intention for the Bill to that which had been stated by the Chief Secretary, and the difference between the two was covered by the Amendment. The Prime Minister stated distinctly that the Bill was not to be used to interfere with any particular agitation or any particular association, even where advice was given to break contracts, but only to advice given that was calculated to incite to acts of violence, or to persons who were suspected of doing such acts of violence. The Chief Secretary announced that the Bill had a totally different purpose—namely, to break down a great political association and destroy its power. Many hon. Members believed in the existence of the village ruffian; but that frightful creature had no existence in Ireland. The question at issue, in rejecting this Amendment, was whether the Government were to have the power over an immense body of men, who had been accused in that House, amidst almost universal cheers, of adopting a line of conduct which led to violence, outrage, and intimidation. These men had been accused by Her Majesty's Government, and by the author of this Bill, of adopting that course; and, if the Amendment were not accepted, there was no man belonging to the association of the Land League who would not fall under the operation of the Bill. When the Act was passed it would simply be a question of selection with the Government whom they would allow to go free and whom they would arrest. But if the Amendment were accepted, no doubt a considerable check would be imposed upon the action of the Government, because they would not then be in a position to make a general charge against a man, but would be required to state in the warrant the particular act to which he incited, or in which he took part, and in that case the arrests would be very few indeed. The Chief Secretary for Ireland had argued that, if he acceded to this Amendment, Parliament would be turned into a Court of Appeal. But, as the last hon. Member who supported the Amendment pointed out, that would be rendered impossible. It was much more likely that Parliament would be turned into a Court of Appeal if the Amendment were not adopted, because, when Irish Members saw laid upon the Table of the House the names of parties arrested upon unfounded charges, they would call upon the Government for explanation, and, if that was refused, they would be accused of arresting persons without grounds and without warrant. So far, then, from Parliament being converted into a Court of Appeal, the Amendment would have an opposite tendency, because, the cause of arrest being stated clearly on the face of the warrant, it could be pointed to at once as the justification of what had been done. Therefore, the great argument on which the Chief Secretary relied was in favour of the Amendment and against his own case. But it was clear that the question was not one of argument at all. The Government were determined to get the Bill passed without alterations.

MR. T. D. SULLIVAN said, he had noticed in the speech that had just been delivered, and all through the debate, that great anxiety had been manifested by the Leaders of the Conservative Party in that House, not merely to get this Bill passed, but to get it passed in the most stringent terms possible, and to keep it fully up to the mark at which the Government had introduced it into the House. He could not but remember that some hon. Gentlemen had been claiming for their Party a balance in their favour of Coercion Bills for Ireland, and that the custom had been for the Liberal Party to bring in Coercion Acts, which were afterwards rescinded by the Tories.

THE CHAIRMAN pointed out that this line of argument was irrelevant to the Amendment before the Committee.

MR. T. D. SULLIVAN said, one of the arguments of the right hon. Gentleman the Chief Secretary amounted to this—that if the Amendment were accepted one of the conditions which would arise was that too much testimony might be offered to the Government in favour of the innocence of men whom they had arrested. No doubt, it would be very inconvenient to them, when they had imprisoned a man on a groundless charge, that the whole neighbourhood should come forward and testify to his innocence. Was there, he asked, anything unfair or unreasonable in giving an accused man an opportunity of saying a few words in explanation of the circumstances connected with the charge made against him. But the Chief Secretary for Ireland feared that too much testimony of this sort would be adduced, and he asked the Committee to believe that it would be false testimony. He affected to believe that the terror of the Land League would make people sign an untrue statement and send it up to the Castle. He (Mr. T. D. Sullivan) objected to such wholesale defamation of the Irish people. The allegation of the right hon. Gentleman was a slander on the Irish people and a defamation of their character. The right hon. Gentleman had no right to level such an accusation against the Irish people; and he would tell him that, taking the Irish community in any parish, town, or village, he would find amongst them men who had as great a respect for their words, and for the truth of any statement to which they signed their names, as himself. The question of incitement to intimidation came within the scope of the Amendment also. Meetings had already been summoned in various parts of Ireland, which had been objected to by the local landlords on the ground that they were intended to intimidate. This Bill meant the prohibition of all meetings, no matter how innocent the intention with which they were summoned, because, no sooner would it be announced that a meeting was about to be held in connection with the question of Land Law Reform in parts of Ireland than the landlords would consider they were about to be intimidated, and men would be denounced to the Government. That was one of the penalties under the clause. It appeared to him that the Chief Secretary wanted to have the power in his hands to prevent anybody proving or testifying to the innocence of another, so far as the acts contemplated by this measure were concerned. The right hon. Gentleman wished his suspicions to be all-sufficient for the sacrifice of the liberties of the Irish people. The grounds of arrest would not be stated, but would remain secreted in the breasts of the informers and the Chief Secretary. Irishmen might be compelled to submit to the superior armed force of England; but the state of things he had described was an outrage against their feelings and sense of justice, as it ought to be against those of every honest man in this country also.

Mr. HEALY said, the Amendment only proposed to effect a very simple matter—namely, that the act of the offender should be stated on the warrant. If the Chief Secretary was sincere in declaring that it was desirable that his powers under this Act should be defined, he was quite unable to understand why he opposed the Amendment. If Her Majesty's Government would not agree to Amendments of this character, of course he and his hon. Friends would be obliged to propose further Amendments, in the discharge of their duty to their constituents. It had been more than once charged that some of the Amendments from that quarter of the House had not been made *bonâ fide;* but that could not be alleged against the present Amendment, which came from a Gentleman who occupied a considerable position in the last Liberal Administration. He submitted that when the Radical section opposite voted with so much facility for the second reading, it was in the hope that they would be able to effect some modification of the provisions of the Bill in Committee. Their present experience would, he trusted, be a lesson to them with regard to Bills introduced by the Government. The right hon. Member for Halifax had made a remarkable admission in saying that he supported the Government so far because of his confidence in the Prime Minister and Chief Secretary for Ireland, and upon that ground he had voted for the second reading of the Bill; but he had now found out that when the Government had succeeded in their object they threw their supporters overboard.

The CHAIRMAN: I must point out to the hon. Member that he is travelling beyond the Question before the Committee.

Mr. HEALY regretted the Chairman had ruled him out of Order; and would only say, in conclusion, that as the Chief Secretary for Ireland had admitted there was no remedy for injustice under this Bill, he and his hon. Friends would take that admission as a charter for proceeding in their opposition to the measure.

Mr. MORGAN LLOYD understood the hon. Member for Wexford (Mr. Healy) to state his wish that the crime charged against a man should be stated on the face of the warrant, but that he did not require time and place to be stated at all. He (Mr. M. Lloyd) asked the Attorney General for Ireland, Whether the Bill, as it stood, did not comply with what the hon. Member required? The words of the 1st clause were these—

> "Any person who is declared by the Lord Lieutenant to be reasonably suspected of having, either before or after the passing of this Act, been guilty as principal or accessory of high treason, treason-felony, or treasonable practices, or of any crime punishable by law, being an act of violence or intimidation."

The warrant must, therefore, declare, or, in other words, specify the offence, which was all the hon. Member for Wexford asked for. The Amendment now before the Committee proposed that in addition to that the time and place of the offence should be stated in the warrant. Now, such an addition would defeat the object of the Bill. This exceptional legislation was required because witnesses were prevented by terrorism from coming forward to give evidence, and required the protection of secrecy. But that object would be defeated if a clue were given to the informant which would be the necessary result of specifying the time and place of the offence in the warrant. He thought therefore, the Committee ought to be satisfied with the Bill as it stood.

MR. P. MARTIN said, by the wording of the clause there was no offence known to the law which led to an act of violence or intimidation, or one which in any way disturbed the maintenance of law and order, which did not come under the provisions of the Bill. His hon. Friends opposite were, therefore, right in assuming that any speech made at a Land League meeting, which might be considered by the Chief Secretary as inciting to an act of violence and intimidation, or as interfering with the maintenance of law and order, would come directly within the purview of the Bill. Mr. Justice Fitzgerald had said it was not a crime for a tenant to refuse to pay rent; but that it was a crime for three or four persons to combine to induce another not to pay. If that were correct, the Land League meetings held for the purpose of inducing tenants not to pay rents that were not just and reasonable were held for the purpose of doing that which Mr. Justice Fitzgerald said was an illegal act. Consequently, if at such a meeting a speech were delivered calculated to lead, in a prescribed district, to an act of violence and intimidation, it would seem that the subsequent part of the clause was entirely unnecessary, because the speech itself would be one tending to interfere with the maintenance of law and order. Unfortunately, he happened to be one of those Members who sat on that (the Ministerial) side of the House, and who had undergone some amount of condemnation from certain of their constituents for not having joined with those who sat on the opposite side; and, in his opinion, they had been unjustly condemned in that respect. Nevertheless, he would say that, in his opinion, it was only fair and right that when a crisis of the character dealt with by this measure occurred in regard to Ireland, care should be taken to provide that in a measure which embraced every variety of offence that could be committed with regard to person and property, the warrants on which persons might be arrested and detained in prison for a period of 18 months, without trial, should state where and when the offences charged were committed. For the Government to say that the warrant would, under the terms of the clause, set forth the grounds of the arrest, would be highly illusory, unless the Amendment were accepted, as, in that case, all the arrested person would have before him would be a simple statement of the statutory offence. He desired to press this matter on the attention of Her Majesty's Government all the more strongly, when it was remembered how it would be likely to operate in practice with regard to the leaders of the existing organization. They all knew what had been the result of every movement similar to the present that had taken place in Ireland. The men who led those movements were able to keep at a safe distance, while those who suffered on account of what was done under the direction of the leaders—the men who, in a moment of excitement, when, perchance, their passions had been aroused, had listened to the counsels of others, and had allowed themselves to be betrayed into speeches for which they might next day be sorry —it was men of this class and character, who had not entered into a deliberate conspiracy, but who had been betrayed into the momentary commission of some offence against the law, who had to undergo the punishment provided by these repressive measures. Seeing that such persons were to be arrested and detained on the mere statement of the Chief Secretary, surely the grounds of the arrest, with a statement of the time and place at which the alleged offence was committed, ought to be stated on the warrant, so that their friends and neighbours might have the opportunity of knowing what there was to meet, and of coming forward with any evidence in exculpation they might be able to adduce. Surely it could not be the desire of Her Majesty's Government that a single person should be arrested under the Lord Lieutenant's warrant beyond those who wilfully, deliberately, and persistently committed crime of the character dealt with by this Bill? Under these circumstances, he hoped Her Majesty's Government would not do what would be, not an act of firmness, but—and he said it with all due respect for the Government—an act of obstinacy, and refuse to accede to the general manifestation of feeling that had come in the course of this discussion, not only from hon. Members sitting on the Benches opposite, but from independent Members occupying seats on the Government side of the House.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) said, it appeared to him that a good deal of misapprehension had been evidenced by the turn the discussion had taken on the Amendment before the Committee. He hoped there was no hon. Member who supposed that any warrant would be issued that did not set forth one of the crimes mentioned in the Bill, for which persons might be arrested and punished. As a matter of course the warrant would state the particular crime of which the person arrested was suspected to have been guilty. The hon. Member (Mr. Martin) who had just sat down had repeated a statement, made more than once during that discussion, that the Bill dealt with every kind of offence. He must take leave to say that it did not deal with every class of offence; but, on the contrary, left out of its scope every kind of offence not coming within the category of those which it distinctly specified. It did not, for example, deal with a class of crime to which attention had been called—he alluded to conspiracy to induce people not to pay their debts — which was not a crime of violence or intimidation, unless it could be shown that intimidation was used as the mode of inducement. A great deal had been said as to the necessity of specifying the crimes for which arrests were made; and although he had pointed out that the Bill had provided for such specification, he would state that if there was any real doubt as to whether the warrant would sufficiently state the nature of the crime, he could see no objection to words more expressly setting this forth being added to the Bill at a future stage. The right hon. Gentleman the Member for Halifax (Mr. Stansfeld) had asked that there should be inserted in the warrant not merely the nature of the crime, but also "particulars of time and place." Now, with regard to this portion of the Amendment, he would merely point to the manner in which such a provision would be almost certain to act. They knew that pressure would, in all probability, be brought to bear on every hon. Member representing an Irish constituency to interest himself with respect to cases occurring in his own county or district, and that the representations made to those hon. Members would be backed up by all sorts of certificates and testimonials, and, in fact, by a class of evidence which that House would have no means of sifting except by the appointment of a Select Committee to investigate each case upstairs; and he did not suppose that it was intended to ask the House to appoint Committees thus to examine evidence in whatever cases of arrest under this Act might be brought before them. One strong reason why this portion of the Amendment would be found impracticable in its actual working was this—many of the offences named in the Bill were offences committed not by one person only, but by a number of persons; and if it were made necessary to state on each warrant the full particulars with regard to time and place, and all the grounds on which the persons arrested were suspected of having committed these crimes, the difficulty of obtaining information against their accomplices would be greatly increased. It should be remembered that the main principle of the Bill was based on the assumption that the Executive had not a perfect case such as they could, under ordinary circumstances, put before a jury and support by evidence detailing the circumstances of time and place under which the offences charged were committed. On those grounds he thought the Committee would not act wisely in accepting this part of the Amendment moved by the right hon. Gentleman; but with regard to the specification of the nature of the crime, he repeated that he should have no objection to the addition of such words as would remove any doubt that might be found to exist, and assist in carrying out more completely the objects of the Bill.

MR. STANSFELD said, he was aware that, under the new Rules, he had no right of reply; but he might be allowed, by permission of the Committee, to say that he was afraid his right hon. and learned Friend the Attorney General for Ireland had not correctly stated the argument he had put before the Committee. He was not quite so ignorant of law as the right hon. and learned Gentleman supposed, and in the Amendment he had moved he did not wish the crime to be defined on the hypothesis that it was necessary to put the case as one that was to go before a jury; all he had really desired was that the actual fact which brought the person arrested under one of the categories of crime named in the Bill should be specified.

MR. GRAY said, he had not intended to have taken any part in that discussion; but he could not help pointing out, as he had felt it necessary to do once before, the extraordinary divergence of views which seemed to exist on this question between hon. and right hon. Gentlemen seated on the Treasury Bench. In a speech by the right hon. Gentleman the Chief Secretary for Ireland they had been told that the perpetrators and abettors of outrages were perfectly known to the police, but that the difficulty was in getting juries to convict, and that he would have a great amount of labour in carrying out the Amendment, and he had, therefore, resisted it; but the right hon. and learned Gentleman the Attorney General for Ireland now said that the powers of the Bill were required because the evidence was imperfect, and the Government would be obliged to arrest before a case was at all made out. When these two assertions were laid side by side, it appeared to him that it required some little explanation to show their consistency.

DR. COMMINS said, he desired to say a few words on this question. He held that the arguments of the right hon. Gentleman the Member for Halifax (Mr. Stansfeld) had not been met at all. The right hon. Gentleman had contended that no such thing as arbitrary power, free from check or control, was necessary, or ought to be suffered to exist in this country; and he had, therefore, brought forward a proposal which he thought would act as a salutary check on the exercise of that power. In doing that, the right hon. Gentleman was only following the traditions of English liberty. Giving Her Majesty's Government the benefit, as he did, for the best and purest intentions with regard to this measure, he, at the same time, in order to furnish a check against any mistakes had moved an Amendment declaring that no warrant should be issued that did not specify not only the nature of the crime charged against the person arrested, but also particulars of time and place at which the offence was committed. How had the argument of the right hon. Gentleman been met by the Chief Secretary? The Chief Secretary had stated that there were seven varieties of crime provided for in the Bill, and that the Amendment dealt with the four later ones—namely, crimes of violence or intimidation, and incitement to crimes of violence or intimidation. The Chief Secretary had said it would be quite sufficient to give the heading of whichever of those four crimes happened to be the one on which an individual might be arrested. Now, he (Dr. Commins) would ask what information would this give either to that House or to the individual himself, provided he should receive a copy of the warrant specifying the particular crime he was charged with having committed? Let them take, for instance, a specific crime—say that of burglary. What information could be derived from the statement that a person was arrested on a charge of burglary? The Amendment proposed to be made by the Attorney General for Ireland showed that the Government had not fully made up their minds how they should proceed. As the matter now stood, supposing a man should be accused of burglary, there being 32 counties in Ireland, unless the time and place were specified on the warrant, and the circumstances stated, it would be impossible, on a mere review of the warrant, to tell in which of those 32 counties the burglary had taken place —whether it was in the castle of a lord or in a cottage of a peasant in a bog. Therefore, he asserted that even the concession offered by the Attorney General for Ireland amounted, in reality, to no concession at all. Supposing an act of violence were alleged; it might be an assault on the police, or an assault on a bailiff, or an assault on a landlord; it might be an attempt on the life of one of these persons, or it might be anything at all, from the smallest offence possible to the endeavour to commit a murder, and it might have happened in any one of the 1,030 parishes in Ireland. Therefore, by such a legal designation of the offence as the Attorney General for Ireland was willing to allow to appear on the warrant, there would be no check at all on the undue exercise of the arbitrary power conferred by the Bill, and there would be no guide whatever to hon. Gentlemen in that House as to whether any particular case had occurred in this or that locality, and whether the powers vested in the Irish Executive had, or had not, been exceeded. But the Chief Secretary had said, if the Amendment were admitted it would be giving the arbitrary power asked for with one hand and taking it away with the other. This, however, was not so. It would leave the arbitrary power where the carrying of the second reading of the Bill had placed it; and all it would do beyond this would be to set forth that Englishmen were not prepared to see left undone that which would place some kind of check on arbitrary power. He was surprised that the legal mind of the Chief Secretary had not seen it in this light. Another argument used in reply to the right hon. Gentleman the Member for Halifax was that it was objectionable to give the place at which an offence was committed, because, by doing so, they would be alarming all the other persons who were supposed to have been concerned in the commission of the particular act of violence or intimidation specified on the warrant. But one of the very things which the Bill proposed to do, and which it ought to do, was to alarm these people. If a particular act, committed at a particular place, were to be so specified, this very fact would tend to prevent a repetition of that act. In point of fact, not one of the arguments that had been used in reply to the right hon. Gentleman (Mr. Stansfeld) was at all conclusive; in fact, they went in an opposite direction to what was intended. He submitted, with confidence, that the right hon. Gentleman the Member for Halifax had made out his case for the insertion of the Amendment, and that it ought to be adopted by Her Majesty's Government, unless they were prepared to yield up all claims to the confidence of the House, and to turn their backs on all the traditions of English liberty and English law.

THE ATTORNEY GENERAL (Sir HENRY JAMES) desired to call the attention of the right hon. Gentleman the Member for Halifax (Mr. Stansfeld) to what it was that he was asking the Committee to do. It was admitted that upon the face of every warrant it would be necessary to state the nature of the crime for which the arrest was made. This was the case with every warrant issued under the ordinary law of the country; and the right hon. Gentleman was probably aware that no warrant could be issued without that fact appearing upon it. But the right hon. Gentleman was not satisfied with what would, under ordinary circumstances, appear on the warrant. He asked that those facts should be stated which pointed out the nature of the crime. These facts would require the insertion of particulars of time and place, which need not appear in warrants issued according to the general law. If the Amendment of the right hon. Gentleman were adopted, the House of Commons would have placed before it, not an ordinary warrant, but what would really constitute an indictment; and he apprehended that it was not intended that each case in which a warrant was issued should be placed before that House as if it were an indictment in a case for trial. If that were to be done, the House had better not have passed the second reading of the Bill.

MR. STANSFELD desired, with the leave of the Committee, to offer a further explanation. He had not proposed that the Lord Lieutenant's warrant should contain the particulars ordinarily contained in an information or indictment. All he had proposed was that the offence should be specified, with particulars of time and place. The hon. and learned Gentleman the Attorney General had stated that no warrant now issued contained particulars of time and place. He (Mr. Stansfeld) probably had no right to say a word in opposition to such an authority; but he had always understood—and if he found he was wrong in what he was about to state he would apologize to the hon. and learned Gentleman at some future stage of the Bill—that, though a warrant did not contain the particulars of an information or indictment, it did state that upon such a day and in such a place a specific act took place.

SIR JOSEPH M'KENNA said, the hon. and learned Attorney General had put it to the Committee that if they had desired that every warrant should specify time and place, and the circumstances giving rise to the arrest, the House ought not to have passed the second reading of the Bill. In reply to that, he (Sir Joseph M'Kenna) said all that was desired by this Amendment was that the warrant should show to anyone who was arrested the time and place at which the offence of which he was suspected was alleged to have been committed, not for the purpose of multiplying inquiries before that House, but rather of offering a guarantee that the law was properly carried out. What, he asked, could be simpler than to state that A. B. was arrested on suspicion of being one of the parties who had set fire to a house on a particular day in Wexford? If it were proveable afterwards that no such house had been burned, he thought the nature of the warrant would offer ground for appealing to the Lord Lieutenant to allow the release of the man. If a man's liberty was to be taken away on grounds so general as the burning of a house, everyone might be taken up on some such bogus crime and detained until the law expired. What the Attorney General had conceded was merely a concession in terms, and not in fact. To say that a man was suspected of some general crime was not a justification for his arrest, and what all notions of fair play and the least those who prized the liberty of the subject required was that there should be on the warrant a sufficient specification of the offence.

MR. BIGGAR, referring to the argument that if that Amendment were adopted it would make the House a Final Court of Appeal, and each individual case of imprisonment would be argued in the House, said, nothing was further from practice than that course. All that the passage of the Amendment would amount to would be that in any particular case in which a case could be made out for revision of the decision it might be submitted to the House to consider the justice of the arrest. He said the consideration of the case would not be so much in the form of a debate as of a chat with the Chief Secretary. In point of fact, as the matter stood then, the right hon. Gentleman said he would draw the words of the warrant in such a way that it would be perfectly impossible to identify a crime charged against a man; and he thought it would be well for the Committee to reserve to itself some power of re-considering decisions that were given by the Lord Lieutenant, and should give an arrested man an opportunity, if he was innocent, of showing that he was not guilty of the offence of which he was suspected. The proposition of the Government was very illogical, and it was not creditable from any point of view; and he urged the Committee to agree to the Amendment. Other Amendments had been refused which would have given some opportunity for re-considering decisions of the Lord Lieutenant and the Chief Secretary; and he thought this was as reasonable a one as any of them, and it would be unjust of the Government not to assent to it.

MR. LEAMY said, he would occupy the Committee no further than to read a copy of a warrant of apprehension which he found in *Burns' Justice of the Peace.* It ran as follows:—

"To the Constable of ( ), and to all other peace officers in said county of ( )—Whereas, A. B., of ( ), has this day been charged before one of Her Majesty's justices of the peace in and for said county, for that he, on (here state offence shortly)."

After that he would say no more.

Question put.

The Committee *divided:*—Ayes 96; Noes 220: Majority 124.—(Div. List, No. 46.)

THE CHAIRMAN: Before the hon. Member for Carlow County (Mr. Gray) moves his Amendment, I will call the attention of the hon. Gentleman to the fact that the first part of his Amendment is substantially the same as that of the right hon. Gentleman the Member for Halifax (Mr. Stansfeld); and it is, therefore, incompetent for him to move that part which goes so very near to the Amendment which has already been decided. But the Amendment then proceeds to enable the High Court of Justice, within three days from the making of an application, to hear evidence on behalf of the person arrested. The hon. Member proposes to put that provision after the words "Lord Lieutenant" in line 17. The preceding words have, however, expressly declared that no Court shall try a prisoner without the direction of the Lord Lieutenant. The proposed Amendment is, therefore, entirely inconsistent with the words which would precede it, and, therefore, cannot be put.

Mr. GRAY asked if he was to understand that he could not put his Amendment?

The CHAIRMAN: Except the first part, which, however, is very near the Amendment which has just been decided, although it is technically different.

Mr. GRAY said, he would put as much as he was permitted to propose, and leave the Chairman to strike out what he might not put.

The CHAIRMAN: It is not the duty of the Chair to modify any Amendments.

Mr. GRAY said, some portion of his Amendment was totally different, and asked whether he would be allowed to propose that part?

The CHAIRMAN: That part is inconsistent with the previous words of the clause.

Mr. A. M. SULLIVAN said, he had an Amendment to propose which came before that of the hon. Member for Carlow County, and was similar in words to that of the hon. Member, striking out that portion to which the Chairman objected. He should propose after the word "application" in his hon. Friend's Amendment to add words which would require that when the person was arrested a statement of the grounds upon which the arrest was made should be furnished, and that upon application by the person arrested to the governor or other officer of the prison, denying that he had committed the offence, he should be heard within three days of making the application.

The CHAIRMAN: Such an Amendment would be perfectly inconsistent with the previous words in the line.

Mr. O'DONNELL asked whether it could not be moved at that point, that every person arrested should, at the time of arrest, be furnished with a copy of the warrant and a statement of the act or acts upon which the arrest was made?

The CHAIRMAN: Yes.

Mr. O'DONNELL thought it would commend itself to the sense and the feelings of the Committee that the person arrested should, at the time of the arrest, receive a statement on the face of the warrant showing the actual act with which he was charged; and he thought the fact that a considerable number of hon. Members had supported a somewhat similar Amendment recently was an additional argument why the Government should grant that simple concession to the prisoners.

Amendment proposed,

In page 1, line 17, after the words "Lord Lieutenant," to insert the words, "Provided, That every person so arrested shall, at the time of his arrest, be furnished with a copy of the warrant, and with a statement of the act or acts for which the arrest has been made."—(*Mr. O'Donnell.*)

Question proposed, "That those words be there inserted."

The ATTORNEY GENERAL for IRELAND (Mr. Law) said, it appeared to him that the Amendment was substantially the same in form as that which had already been decided, and he could not accept it.

Sir JOSEPH M'KENNA contended that every alleged offence should be distinctly specified, so that if it were found afterwards that it had not occurred the accused person might be set at liberty. Suppose it was believed that a man had been killed, and some other man was arrested on suspicion of being either principal or accessory in the killing of that person, and it was afterwards found that the man was living, would not that be a miscarriage of the law to require redress? He did not wish to take away the power of the Lord Lieutenant to arrest a man who was suspected of an offence, even of one which might not have been committed; but it was most important that the man who was suspected of a particular offence should have a right to claim to show that he ought not to have been arrested, for instance, for killing the man, seeing that the man was living. He thought it was scarcely asking the Government to make any considerable stretch to accept the Amendment, because they were receiving the power to arrest; and what he urged was that it was only reasonable that there should be some means by which the arrested man should be able to prove his innocence of an offence which had not been committed.

DR. COMMINS supported the Amendment. He failed to see any force in the objection taken to it by the right hon. and learned Attorney General for Ireland.

MR. A. M. SULLIVAN urged the Government to accept the Amendment. They must, at all events, conceive it to be possible that the Lord Lieutenant would have the pain of mind of discovering, in some case or other, that he had been misled; but to whose interest would it be to show that he had made even one error in 100 cases? It certainly would not be to the interest of the police who led him into it; it would be the friends of the injured man. But how were these persons to find out the error if they did not know the charge? Some of the men who would be imprisoned under the Act would leave parents, children, brothers, behind them; and was it to be supposed that for 18 months these people would deplore the absence of members of their family without making some effort to get them out of prison? If they believed in the innocence of their relatives in prison, would they—and he would put it to any Member of the Government who had children or had those who were near and dear to him—let those relatives lie down and languish for 18 months without making a manly effort to prove their innocence? Certainly not; but how were they to know their relatives were wrongfully arrested, and how were they to make an effort for their release unless they knew the charge? This was a matter upon which it would not do for the Chief Secretary to remain silent, for the case was put to him on the ground of common justice, and common humanity. The question pressed for a reply, and the Chief Secretary was bound to give one, bound by his duty to the country, by his duty to the Committee, and by his own public character and reputation, which, until the right hon. Gentleman put his hand to this Bill, had borne no stain of public cruelty or savage severity. Did the right hon. Gentleman wish to assume that he was right in every act he performed? However high their opinion might be of him they hardly accredited him with infallibility; and if he claimed that on the present issue it would be difficult for them to believe in his sincerity as they used to. No doubt, efforts had been made in other shapes to get a provision inserted in the Bill requiring an explicit statement of the charges on which persons were to be sent to prison; but it was the duty of the Irish Members to exhaust every conceivable means of obtaining that statement. It was their duty to imagine every form of words or phrase which could raise this issue of putting on record the charges against suspected persons, in order that the Lord Lieutenant might have the chance afforded him of finding out in six, nine, or twelve months time, that he had made a mistake in a particular instance. The Lord Lieutenant might be right in ten cases; but he might be wrong in the eleventh. Men as able, as keen, as wise, as honest, as painstaking, as the Lord Lieutenant had admittedly committed errors in the past; and he did not blame them. To err was human. No doubt, other high officials had executed their powers to the utmost in good faith, nevertheless it was too much to contemplate that even one man in 20 might be wrongfully incarcerated under the Bill. He would appeal to the Committee—to English Gentlemen whose friends would not feel the wrong and injury which would be done under this measure. They were in the enjoyment of comfort and ease, and luxury, and came here only to listen to that which seemed to them a tedious debate. ["Hear, hear!"] There! that cheer showed he saw what was in hon. Gentlemen's minds. They did not feel as the Irish Members felt. None of their constituents would be in danger; no wrong, no oppression would touch those who were near and dear to them. But the Irish Members were fighting here for those who were dear to them, and many who might be dear to them too—for they had had members of their families inside prison cells ere now. They knew this Bill was levelled at public agitation in Ireland, and was intended to suppress a movement distasteful to the Irish landlords, in order that no outcry might be made against the miserable, half-hearted land measure that the re-actionary portion of the Cabinet might have determined to bring in. Would any hon. Member get up in his place and say that the friend or relative of a man imprisoned under this Act ought not to have the chance of going about in the parish collecting evidence, taking that evidence, when collected, to Dublin, and putting proof of the prisoner's innocence in the hands of the Chief Secretary, saying—"I admit your power to keep my friend—or brother or father—in prison, and to keep him there for 18 months; but will you ask the police in my village to look into these facts, will you yourself examine into them, and, if you find wrong has been done, reverse that wrong?" There was not a Turkish Pacha who would not grant so much to the most oppressed in all the dominions of the Sultan. He (Mr. Sullivan) was curious to know whether those amiable and estimable Gentlemen on the Treasury Bench, who posed as the friends of humanity all over the world, would say that the poor peasant of Ireland should not have the chance of proving his innocence before the Lord Lieutenant?

Sir JOHN HOLKER said, he had given considerable attention to the Bill; and though he deemed it arbitrary, despotic, and somewhat tyrannical, he was prepared to give it his hearty support, because he considered it necessarily arbitrary, despotic, and tyrannical, the discontented, disaffected, and disloyal in Ireland having necessitated its introduction; but, at the same time, he could not conceive why they should make it more arbitrary, despotic, and tyrannical than was needful. He conceived it was one of the first principles of justice that a man who was arrested should know the why and the wherefore of his arrest. To let a man arrested under this Bill know that would not weaken the efficiency of the measure, and might possibly conduce to great good, because it was possible to conceive that egregious mistakes might be committed. With such a provision as this in the Bill, the man who was arrested, or his friends, might possibly be able to demonstrate that a mistake had been made. He supported the Amendment simply on the ground that it could not weaken the Bill, but was essential if they wished to proceed on the lines of justice.

Mr. STAVELEY HILL said, that, with reference to the last Amendment, he agreed that there might be some difficulty in specifying "crime or crimes with particulars of time or place;" but he could not for the life of him see why they should allow a man to be arrested without giving him a copy of the warrant, with a statement of the act or acts for which the arrest had been made. He should most certainly vote for the Amendment.

The ATTORNEY GENERAL (Sir Henry James) said, the Committee should clearly understand the grounds upon which they were about to vote. They had stated that the warrant would show the nature of the crime, and that the person arrested was, therefore, entitled to know what he had been arrested for. A man would be able to see the warrant, which would be lodged in a public office; any solicitor could see it at any moment, and it would be laid before Parliament. With regard to the forcible observations of the hon. and learned Member for Preston (Sir John Holker) the matter narrowed itself down to the meaning of certain words in the Amendment. What was meant by "act or acts?" If they meant a statement of the crime in the warrant, of course that would be given, and a person would know what he was charged with; but if the words were to be taken as a statement of "time and place" they had already voted against that.

Mr. M'COAN: No; the particular charge, the particular offence.

The ATTORNEY GENERAL (Sir Henry James) said, the hon. Member who was interrupting him would presently have an opportunity of expressing himself rather more regularly than he was now doing. If the hon. and learned Member for Preston (Sir John Holker) meant by "act or acts" that he wished to have "time and place" inserted in the warrant, they had already voted against that. He did not know how his hon. and learned Friend had voted; probably with the majority; he had often done so; and, if he had, he had voted against "time and place." Did the hon. and learned Gentleman wish to have evidence of the crime in the warrant; if so, he would have to contradict a vote he had already given.

Sir JOHN HOLKER said, he had voted in the last division with the majority, because he believed the Amendment proposed to be, on the whole, impolitic, and not, perhaps, very reasonable. All he desired was that a man who was arrested should have a copy of the warrant. What that warrant should contain they had decided in the last division.

Mr. ONSLOW said, he was sorry he should have to vote against the late Attorney General. He was one of those who, to use a common expression, supported the Bill through thick and thin;

and he intended to support Her Majesty's Government in carrying it, in whatever form they chose to submit it. On an important Amendment like this, the late Attorney General should, in his opinion, have objected to the second reading of the Bill, and not now go into the Lobby with the minority. This was a Bill of the greatest importance to thousands of Her Majesty's subjects, and the Amendment was of great importance; and it was the duty of the Conservative Party to support the Government in passing it, and to see that the measure went through Committee without Amendments of any kind, considering that the Conservative Party had, after mature consideration, agreed to support the Government in the passing of the Bill. No one in the House was more opposed to Her Majesty's Government on many subjects than he was; but, at the same time, he could not help thinking that the late Attorney General had made a great mistake in the remarks he had offered, and that the Conservative Party would scarcely be acting honourably if they opposed the Government on this important Amendment. He (Mr. Onslow) should not go into the same Lobby with him, as he intended to support Her Majesty's Government in all the clauses of the Bill.

MR. W. E. FORSTER: I do not think it will be a question of going into the Lobby at all, because, so far as I can make out, no one agrees with the hon. and learned Gentleman the late Attorney General. We have no objection whatever to the person arrested being furnished with a copy of the warrant. We have already provided that it shall be quite easy for him to see it, and that a copy shall be lodged where his friends can have access to it; and, beyond this, it may be desirable that he should have an actual copy given to him. I will undertake, at a later stage, that a provision shall be inserted to secure to the person arrested a copy of the warrant. ["Now, now!"] Hon. Members wish to have the Amendment inserted now. I have looked carefully over the Amendments, and I must confess there are not many to which I do not see the strongest objection; but there will be one or two alterations to make, and I do not mind acknowledging that I think it would be better to make them on the third reading. It is not in my own interest, or that of the Government, I say so; but in the interest of the House and of Public Business. We promise that the person arrested shall have a copy of the warrant, and I will undertake that the Bill shall not leave the House without words to that effect being introduced.

LORD RANDOLPH CHURCHILL did not know anyone who was better able than the hon. and learned Gentleman the Attorney General to confuse the Committee as to the real facts of the case, when the Committee was on the point of deciding. He had declared that anyone who voted for the Amendment, which said that a statement of the act or acts for which a person had been arrested should be furnished to that person, was supporting that which was contradictory to the vote already given. The practical working of the Amendment would be this—People would be arrested in Ireland for being suspected of having been concerned in outrages; and these people would, from time to time, make application to the Crown for their release. Well, they were not going to assume that the Government were absolutely infallible. He had not the robust faith of the hon. Member for Guildford (Mr. Onslow), although he was prepared to place considerable confidence in Her Majesty's Ministers, for mistakes had been made by Governments before, and might be made again; and it was, therefore, of the greatest importance, nay, absolutely essential, to a prisoner, that he should be furnished with a copy of the "act or acts" he was suspected to have committed, in order that he might make application to the Crown for his release. [The ATTORNEY GENERAL for IRELAND (Mr. Law) dissented.] The Attorney General for Ireland shook his head; but he knew these applications came in as thickly as possible even now, and that they would come in as thickly as possible after the passing of the Act—that, in fact, they would probably be as numerous as the arrests. It would be impossible for a person committed under the measure to make a proper statement of his case to the Crown, if he were not furnished with a statement of the act or acts for which the arrest was made. He was sorry to be obliged to differ from the hon. Member for Guildford, because he thought the Amendment a reasonable one, and unless the Chief Secretary was prepared to furnish the statement asked for to the prisoners he should support that Amendment.

Question put.

The Committee *divided*:—Ayes 79; Noes 222: Majority 143.—(Div. List, No. 47.)

Mr. O'DONNELL said, the Amendment he intended to propose now was a simple and humane one. He took it that the Committee had decided that there could be no appeal under the Act from the Lord Lieutenant to anybody else. He would therefore propose to insert in page 1, line 17, after the words "Lord Lieutenant," the words—

> "Provided always, That where any person shall be incarcerated under this Act for a longer period than three months, at the end of every three months of his detention his case shall come under the review of the Lord Lieutenant, who shall endorse on the warrant a statement to that effect."

That Amendment recognized that the only appeal from the Lord Lieutenant was to the Lord Lieutenant; but it also provided that there should be no danger under this Act, as had unfortunately happened under the operation of previous Acts, that the persons arrested in the first rush of arrests should not be totally forgotten and left in their cells. He did not think that such a provision would interfere with the responsibility or the initiative of the Lord Lieutenant. It simply provided that from three months to three months the cases of the prisoners under the Habeas Corpus Suspension Act should be brought before the Lord Lieutenant, and that the Lord Lieutenant should review each case. The Amendment would act in a humane direction; and, in a great many of the cases that came up for review to the Lord Lieutenant, he would see that these poor men were no longer deserving of continued incarceration. During three months, facts might come to the knowledge of the Lord Lieutenant which would induce him to believe that detention in particular cases was no longer necessary. The Amendment simply proposed that where any person was incarcerated under the Act for a longer period than six months, at the termination of every period of three months the case should come before the Lord Lieutenant for review, and the fact be stated on the back of the warrant. He hoped the Government would accept the Amendment.

Amendment proposed,

> In page 1, line 17, after the words "Lord Lieutenant," to insert the words 'Provided always, That where any person shall be incarcerated under this Act for a longer period than three months, at the end of every three months of his detention his case shall come under the review of the Lord Lieutenant, who shall endorse on the warrant a statement to that effect."—(*Mr. O'Donnell.*)

Question proposed, "That those words be there inserted."

Mr. W. E. FORSTER: I must say that I think the proposal of the hon. Member deserves consideration; but I think it would come in more properly at the end of the section. I should like a little more time for a consideration of the words, and I do not like to give up all idea of saving the time of the House if I can help it. The Committee is quite aware that there are two or three matters which will have to be dealt with on the third reading; and I do not wish to refuse to consider any Amendment that is not unreasonable. I understand the hon. Member to mean that every three months the Lord Lieutenant should show, by endorsement upon the warrant, that the case has been re-considered. I should be quite glad that that should be done; and perhaps the hon. Member will let me have the exact terms of his Amendment.

Amendment, by leave, *withdrawn.*

Mr. A. M. SULLIVAN wished to move an Amendment after the word "warrant" in line 17. It was a very reasonable Amendment, and would facilitate that which had just been acceded to. He would not attempt, in the slightest degree, to waste time by moving the same thing over again; but he honestly moved this Amendment in the belief that, although somewhat similar to the one which had been accepted by the Government, it was, in some respects, essentially different. He proposed, after the word "warrant," to insert the words—

> "And every such warrant shall be endorsed with the date of the act or acts the said person is suspected to have committed, and the place where such act or acts were committed."

The Committee had decided already that the acts themselves should not be specified, and the warrant would simply state that such a person had been arrested for sedition, or any other particular crime. There was to be no classification of the crime; but if the date and place were mentioned they might afford materials to enable the person arrested, or his family, to lay before the Lord Lieutenant at the end of three months, for the purposes of review, the materials upon which a review could take place. The Amendment did not require the Lord Lieutenant to specify the Act. It would simply be sufficient to say—"Sedition committed on the 7th of February, 1881, in the barony of such a place, in Ireland." That would give a reasonable chance to the friends of the accused of obtaining materials to enable the Lord Lieutenant to review the case at the end of three months. Who would be the interested parties in collecting materials for the review of the Lord Lieutenant? It would never be the police; but it would be the family of the accused; and all he asked was that they should have some clue as to the nature of the accusation on which they could go to work, in order that they might be enabled to send up to Dublin Castle the materials for a review of the case at the end of three months. Unless they had such a chance, the Lord Lieutenant would have nothing to review. He would merely have to review the statement of the parties who caused the man to be arrested in the first instance. He entreated the Government to give this faint chance to the friends of the immured victim of laying before the Lord Lieutenant, at the end of three months, something on which his conscience might go to work, otherwise the concession already promised would be useless. As he was not the late Attorney General of a powerful Administration, he was afraid his suggestion would not command much support from Her Majesty's Government. When he had pleaded in this way before the Committee had not seen that there was much in it. But when the late Attorney General for England got up to support an Amendment he was listened to with attention. He (Mr. Sullivan) was unable to lend to the present Amendment the weight of the hon. and learned Gentleman's position, ability, or character. Nevertheless, he would press the proposal upon the Government that at every three months a review of each case was promised they would do something to provide the Lord Lieutenant with materials for his review, by allowing the mother, father, or friends of the prisoner the chance of going to work to procure such materials. He was placing before the Committee no hypothetical case. He had in his mind an actual occurrence that took place some years ago, when the father of a prisoner, in his 79th year, walked to Dublin to the prison gate to make an effort for the liberation of his son, whom he had not seen for three years, and who had been incarcerated without accusation, and without proof. All he asked was that the Government would give some chance to another father to go to the Lord Lieutenant, with the facts in his hands, to enable the Lord Lieutenant to judge whether he might not have been misled in imprisoning the man in the first instance. He thought the charge ought to be localized, so that some chance might be afforded for disproving it. It would be sufficient to state that the charge was sedition, and to accompany it by a statement when the sedition was committed, and where.

THE CHAIRMAN: I am unable to put this Amendment, because the Committee have already negatived a proposition that particulars of time and place should be given.

MR. BRYCE said, he had intended to move, in line 18, after the words "and every warrant shall be conclusive evidence," the omission of the words "of all matters therein contained;" but he had had some communication with the right hon. Gentleman responsible for the Bill which would prevent him from troubling the Committee. He understood that Her Majesty's Government were willing to consider the matter.

MR. A. M. SULLIVAN asked what the understanding was?

THE CHAIRMAN: I must point out to the hon. and learned Member that there is no Question before the Committee.

MR. CALLAN rose; but——

THE CHAIRMAN called upon Mr. O'SHAUGHNESSY.

MR. CALLAN said, he was perfectly in Order, as he rose to move the Amendment which stood in the name of the hon. Member for the Tower Hamlets (Mr. Bryce).

The Chairman: There was no Amendment before the Committee when I called upon the hon. and learned Member for Limerick (Mr. O'Shaughnessy).

Mr. CALLAN said, it had taken some time, both for the Chair and the Committee, to see that he was in Order; but they found now that he was perfectly within his right, seeing that the Amendment he intended to move came before that of which the hon. and learned Member for Limerick (Mr. O'Shaughnessy) had given Notice. He begged to move, in page 1, line 18, after the word "evidence," to leave out the words "of all matters therein contained, and." He did so for the purpose of having a declaration from the Government that upon the third reading, or at whatever time was most convenient, these most objectionable words would be left out. The clause, as it stood, said—

> "And every such warrant shall be conclusive evidence of all matters therein contained, and of the jurisdiction to issue and execute such warrant, and of the legality of the arrest and detention of the person mentioned in such warrant."

That was all right and proper; but a subsequent section of the clause went on to say that the warrant should be laid before Parliament. No declaration that the words directing the warrant to be conclusive evidence of "all matters therein contained" had yet been made by the Government. That was an assumption never yet contained in an Act of Parliament; and it would puzzle the ingenuity of the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Law) to give any good or valid reason for the retention of the words. The hon. Member for the Tower Hamlets (Mr. Bryce) was content with some private understanding with the Government; but the only safeguard the Committee had for the protection of Irish interests was that whatever promise was made should be made openly and aboveboard, across the floor of the House, and not be a matter of private negotiation and understanding. He, therefore, moved the omission of these words, in order to enable the right hon. and learned Attorney General for Ireland, or the Chief Secretary for Ireland, to make a clear and explicit declaration that, at some future period, the words would be omitted, or else give some reason for their retention.

Amendment proposed,

In page 1, line 18, after the word "evidence," to leave out the words "of all matters therein contained, and."—(*Mr. Callan.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

The ATTORNEY GENERAL for IRELAND (Mr. Law) objected to the Amendment. It was necessary to retain the words. They were substantially the same as those contained in the Westmeath Act, being only more concise and condensed.

Mr. METGE said, the Bill up to this point had been allowed to contain a special limitation that the authority should be placed in the hands of the chief magistrate. A great deal of stress had been laid on that limitation. The Prime Minister told them that he had no fear that the powers conferred by the Act would be arbitrarily exercised, and that their reasonableness might be challenged on the floor of that House. But they all knew what the result of such a challenge would be. It would be no consolation to a man who had been 18 months in prison, and driven to the verge of insanity, to have his case brought up on the floor of the House of Commons, when a good speech might probably be delivered by the senior Member, and a few remarks be made from the Ministerial Bench. The clause recited that any person could be arrested who was declared by warrant of the Lord Lieutenant to be reasonably suspected of having been guilty of certain crimes; but if every warrant was to be conclusive evidence of all matters therein contained, what would become of the reasonable suspicion? The law would at once hold that the accused person had been fully convicted on direct proof. He could not believe that that was the intention of the Committee—that they actually meant to say that the warrant was to constitute a crime, and that the warrant thus constituting a crime should be made substantial evidence of that crime. If the clause remained unaltered it would be impossible to raise any plea against the reasonableness of the arrest, because the warrant would constitute conclusive evidence of the crime, and be really the crime itself. He could not imagine that the Chief Secretary wished to obtain from the House an indemnity for his acts; and if the words which his hon. Friend wished to strike out were left in the Bill such an indemnity would be given, because the right hon. Gentleman could at once plead that the warrant itself should be taken as conclusive evidence of all matters therein contained. His responsibility would, therefore, be at once done away with. The expunging of these words would not in any way affect the strength of the Bill; but would merely give power to impeach the acts of Ministers if they abused its powers. The small concession asked for was of immense importance in view of the after consequences of the Bill.

SIR HENRY HOLLAND hoped the right hon. Gentleman the Chief Secretary for Ireland would state whether these words were to be retained with any modification or not. He (Sir Henry Holland) understood the hon. Member for the Tower Hamlets (Mr. Bryce) had given Notice of a similar Amendment, and had withdrawn it upon some understanding with the Government. It was only fair and reasonable that such understanding should be fully explained to the Committee. He did not think the words were necessary, considering that the warrant was to be conclusive evidence, not only of the jurisdiction of the Lord Lieutenant, but also of the legality of the arrest and detention of the prisoner. If it was conclusive evidence of the jurisdiction and detention, it was necessarily conclusive evidence of all facts that justified the exercise of such jurisdiction.

MR. W. E. FORSTER said, the question involved in these words was purely of a legal character; and, for that reason, he did not think his answer would be of much value to the Committee. He could not quite decide whether or not the words were necessary; and, under the circumstances, as he did not wish to retain any words that were unnecessary for the purpose of the Bill, he asked the Committee to give Her Majesty's Government time to find out whether they were required.

MR. BRYCE explained that he had given Notice of an Amendment upon this subject; but, before moving it, he had endeavoured to discover what the legal effect of the words was in the view of Her Majesty's Government. Gathering from the Government there was some doubt as to their legal effect, he had not felt himself justified in asking the Committee to divide upon his Amendment, conceiving that it would be better that the point should be considered subsequently. But there had been no understanding between the Government and himself.

SIR JOHN HOLKER was delighted to hear that the hon. Member for the Tower Hamlets (Mr. Bryce) was so accessible to reason, and that he had, upon such slight grounds, consented to withdraw his Amendment. He (Sir John Holker) confessed that, after having carefully considered the arguments brought forward in favour of retaining the words, he did not see the reason upon which they were founded. It was very well to say that the warrant should be conclusive evidence of the jurisdiction to execute it, and of the legality of the arrest; but why the Committee should be asked to say the warrant should be conclusive evidence of all it contained he failed to see. A man might be arrested upon suspicion that he had been guilty of murder; and if this Bill passed into law the warrant would be conclusive evidence of his guilt. He was sorry to offer any opposition to the Government; but they appeared determined, for some reason or other, that they would admit of no Amendments to the Bill, which, in his (Sir John Holker's) opinion, stood in need of a good many. He was ready to support the further progress of the Bill, on the ground that it was necessary for the preservation of law, order, and good government in Ireland; but he could not forget there was such a thing as a Constitution, and that liberty was more precious than coercion.

THE ATTORNEY GENERAL (Sir HENRY JAMES) would like to know where his hon. and learned Friend (Sir John Holker) had been since the introduction of the Bill, and why that night the Constitution of England was to be protected by him for the first time? He (Sir Henry James) protested against his hon. and learned Friend coming down in the midst of the arduous discussions which had taken place upon the Bill and formally taking the Constitution under his protection, as if its existence had been forgotten. He would ask him what course he proposed to take with respect to the present Amendment —whether he was about to act as he had done in the last Amendment? At the same time, he would urge him, with all his enthusiasm for the Constitution, to have some regard for facts. There would only be a statement in the warrant that the Lord Lieutenant had reasonable grounds for suspicion; and, therefore, he asked his hon. and learned Friend to tell him upon what ground he said that the statement in the warrant would be conclusive proof of the guilt of the person arrested for all purposes? The hon. and learned Member for Preston owed that explanation to hon. Gentlemen who sat near him—to the right hon. and learned Gentleman the Member for the University of Dublin, and even to the noble Lord the Member for Woodstock, who cheered him so loudly. He would leave his hon. and learned Friend to settle his difficulty with those amongst whom he sat. If the words remained in the Bill they would not interfere with the Constitution; but it was not desirable to have it traversed in any way that the Lord Lieutenant had reasonable grounds of suspicion, and if the words were struck out, it would be in the power of anyone to contend that the Lord Lieutenant should be put to the proof that he had reasonable grounds for suspicion. Whether the Lord Lieutenant should be put to such proof was a matter upon which something was, perhaps, to be said upon both sides; but it appeared to him (Sir Henry James) that the Lord Lieutenant ought not to be challenged to establish reasonable suspicion.

Sir JOHN HOLKER desired to say one word as to his vote on the last division.

The CHAIRMAN reminded the hon. and learned Member for Preston that, under the new Rules, he would not be in Order in speaking again, except to make a personal explanation.

Sir JOHN HOLKER said, he had merely to say that he had voted in the last division under the impression that the Government had acceded to all he wished.

Mr. WARTON expressed his opinion that the difficulty in which the Committee was placed was due to the Government having followed too scrupulously the drafting of some former Bill. He trusted that the right hon. Gentleman the Chief Secretary for Ireland, on the third reading of the Bill, would bring up a straightforward form of warrant.

Lord RANDOLPH CHURCHILL said, the Committee had a statement from the right hon. Gentleman the Chief Secretary for Ireland with respect to some important words in the Bill that those words had not been brought to his notice before, and that, in spite of a quarter of an hour's consultation with the Irish Law Officers, he was not able to get into his head what they meant. Then, because the hon. and learned Gentleman the ex-Attorney General for England had expressed his opinion as to their effect, the hon. and learned Gentleman the present Attorney General directed his fury upon him for giving a perfectly clear and precise statement of the law. He (Lord Randolph Churchill) ventured to say that if the right hon. Gentleman the Chief Secretary for Ireland could not give the meaning of the words in question, it was perfectly impossible for the Committee to proceed beyond that portion of the clause which contained them. It was his duty to remind hon. Members opposite, who called themselves Liberal, and Members of the Liberal Party, who supported this Bill for the suspension of the liberties of the Irish people, and who, when the Chief Secretary for Ireland rose and said, with respect to important words in the Bill, that he was unable to give any opinion, actually endeavoured to talk down a Member of the House because he still kept to his opinion, that it was impossible to make progress with the measure until the right hon. Gentleman was able to give his opinion as to the meaning of the words in question.

Mr. A. M. SULLIVAN said, he was afraid the noble Lord the Member for Woodstock had unintentionally done the right hon. Gentleman the Chief Secretary for Ireland some injustice. The right hon. Gentleman said he had heard contradictory statements with reference to the words in the clause; and when the hon. and learned Gentleman the ex-Attorney General (Sir John Holker) rose to express his opinion, which must be in accordance with that of either one or other of those statements, he could not get an explanation as to whether the words were necessary or not. Absolutely, one of the conflicting and disagreeing Law Officers of the Crown rose and entered into a kind of gladiatorial combat with the late Attorney General for England. Let the Committee not lose sight of the fact mentioned by the hon. and learned Gentleman sitting on the Opposition Benches, that so persuaded were Her Majesty's Government that there was something untenable in these words that they had entered into a private transaction with the hon. Member for the Tower Hamlets (Mr. Bryce) with respect to them. If there had been a private negotiation the Committee should be plainly told that one of the Law Officers of the Crown had told the Chief Secretary for Ireland that the words in question were either unnecessary or mischievous. Would that hon. and learned Gentleman remain muzzled, or would he rise in his place and confirm the opinion of the late Attorney General for England? This Amendment had been given in at the Table two days ago; but the Chief Secretary for Ireland told the Committee that every word in the Bill had been carefully weighed, and had used that as an argument against accepting any Amendment whatever. The right hon. Gentleman now found himself in a quandary, and said that he required time to consider these words. Then let him candidly confess that Progress was impossible until he had assured himself as to the necessity of the words. He (Mr. A. M. Sullivan) should not move to report Progress for any such purpose, because he thought the Committee might continue their labours a little time longer; but he would suggest that if there was on the Treasury Bench a conflict of legal opinion, the Government were bound to pledge themselves explicitly with regard to the words in question.

MR. W. E. FORSTER pointed out that the course he had pursued in asking a little time for consideration of the point raised was not at all unusual. He had, when in charge of Bills on former occasions, been obliged to do the same thing. In the present case he undertook, if the words were not necessary, that they should be removed from the Bill. He asked the Committee to accept his assurance upon this point. The Committee could not expect him to strike out, then and there, words that might turn out to be necessary from a legal point of view. He trusted the Committee would be allowed to continue its labours for a short time longer; his view being that they were now so near the end of the section that it could be finished that night.

MR. GIBSON, having listened to the discussion with great attention, had regretted that neither of his hon. and learned Friends, the Attorney and Solicitor General for Ireland, had spoken, because, unquestionably, the right hon. Gentleman the Chief Secretary to the Lord Lieutenant had stated that he was at a loss to understand exactly what was the legal opinion given to him. It was in reference to that that his hon. and learned Friend the Member for Preston (Sir John Holker) had stated that, having read the Westmeath Act, he was at a loss to understand what was the exact legal advantage of retaining these words. The first Amendment with regard to this point had been laid upon the Table of the House some days ago by the hon. Member for the Tower Hamlets (Mr. Bryce), therefore he was sure this matter must have been considered by the Law Officers of the Crown for Ireland, as it was their duty, and they must have made up their minds by this date as to the necessity of these words. For his own part, he (Mr. Gibson), thought the Lord Lieutenant would be protected if the warrant were made conclusive evidence of the jurisdiction and the legality of the arrest. Nevertheless, he should be glad to hear the Law Officers of the Crown in their arguments to show that these words were necessary. If those arguments were conclusive, he should be willing to support their view; but he understood that, unless the Amendment before the Committee were withdrawn, they would have at once to vote upon the question one way or the other. Therefore, if that Amendment were not to be withdrawn, it was clearly necessary that Progress should be reported, or else that the Law Officers of the Crown for Ireland should state whether they considered it necessary that these words should be retained, and what was the advantage of retaining them.

THE SOLICITOR GENERAL FOR IRELAND (MR. W. M. JOHNSON) denied that there was any conflict of opinion between him and his right hon. and learned Friend the Attorney General for Ireland. His opinion was that those words were necessary and essential. Nearly every Act of Parliament prescribed that the decision of some person under the Act in any matters which must be merely Ministerial should be taken as conclusive. The warrant would commence with a statement of the district; and the statement in the warrant that a defined district was prescribed would be conclusive of that fact by the words "all matters therein contained." The warrant must also declare that, the district being so prescribed, the Lord Lieutenant reasonably suspected that the person to be arrested had been guilty of some cimre—say arson, or whatever it might be, being a crime punishable by law, committed in the district prescribed and being an act of violence and so on. Unless the words "all matters therein contained" were maintained, it would have to be proved by evidence *aliunde* the warrant that the district was prescribed.

Mr. O'SHAUGHNESSY said, the argument of the hon. and learned Solicitor General for Ireland (Mr. W. M. Johnson) was that the veracity of the statement must be made certain by the words "all matters therein contained"; but, as he (Mr. O'Shaughnessy) understood it, the ordinary form of warrant did not embrace those words, and the last Act for the suspension of the Habeas Corpus Act did not contain them.

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson): That Act gave the form of warrant.

Mr. O'SHAUGHNESSY said, they were not questioning whether the warrant would be bad, but whether the warrant in itself was to be a proof of the matters stated, and of all other matters contained in it, and not what the warrant was to contain. The right hon. Gentleman stated that it would appear in the warrant that the district was prescribed, and also that the Lord Lieutenant had reasonable grounds for suspicion, and that it would be necessary that the warrant should be a proof of the district being prescribed, and of the grounds of arrest being reasonable. But all that was covered by the other words was that the warrant was made evidence of the jurisdiction of the authority which issued the warrant and of the legality of the arrest. If the district were not prescribed, and if the Lord Lieutenant had not reasonable grounds, then jurisdiction would not exist, and there would be no legality. Therefore, the words in the clause were not necessary.

Lord JOHN MANNERS said, the position in which the Committee found itself was very much due to the reticence of the Irish Law Advisers, but primarily to the mysterious statement of the hon. Member for the Tower Hamlets (Mr. Bryce). The Amendment which that hon. Member had submitted some days before was withdrawn at the last moment in consequence of a communication, the nature of which he did not describe, from a person whom he did not name or indicate, and that was enough to set the whole House by the ears, and to lead to that very animated debate. For himself, having listened to the explanation of the Solicitor General for Ireland, he was quite prepared to vote in favour of the Government, as he had done all through these discussions, and to throw on them the responsibility for the phraseology of a Bill which they conceived to be necessary for the restoration of peace and good order in Ireland.

Mr. R. POWER was very sorry to find at that hour that the Committee had got themselves into troubled waters. It had been said that in that House whenever lawyers took a prominent part in the discussions the House generally got into a confused state. He should conclude with a Motion; but he could not do so without expressing the deep regret which he felt, and which he was sure many hon. Members felt, at finding that the good feeling which had, up to that time, characterized the Treasury Bench and the Front Opposition Bench had entirely disappeared. He was not in the least surprised that the unholy alliance should have broken down; but a most extraordinary change had come over the Chief Secretary for Ireland. He declared that he must carefully consider every line and clause of the Bill, and in order that the right hon. Gentleman might have every chance of so studying every line and clause of the Bill, he (Mr. Power) would move to report Progress.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Richard Power.*)

The Committee *divided*:—Ayes 38; Noes 212: Majority 174.—(Div. List, No. 48.)

Question again proposed, "That the words proposed to be left out stand part of the Clause."

DR. COMMINS observed, that the hon. and learned Gentleman the Solicitor General for Ireland (Mr. W. M. Johnson) had furnished the strongest case for leaving out the words as proposed by the Amendment. He (Dr. Commins) quite agreed with the hon. and learned Gentleman that it was right that a warrant should recite the jurisdiction and such facts as might be necessary to decide the question as between the person arrested and the Lord Lieutenant as to the legality of the arrest and detention; but it was proposed that the warrant should contain other matter than that. That was referred to by the phrase which it was proposed to be left out—"All matters therein contained" over and above the necessary facts; but until they had the form of the warrant before them they could not guess what it would be. The form of the warrant would depend on the Law Advisers, for the 2nd subsection provided that the Lord Lieutenant, by and with the advice of the Privy Council in Ireland, might, from time to time, make, and when made revoke and alter the order prescribing the forms of warrants for the purposes of the Act. They had not the slightest idea what the form of the warrant would be; and the right hon. and learned Attorney General for Ireland and the hon. and learned Solicitor General for Ireland, in their sketch of the warrant, gave a strong illustration of the danger of voting what would be put into the warrant, seeing that the warrant might be altered. Taking the illustration the right hon. and learned Attorney General for Ireland had given, the recital in the warrant—that a man had committed arson would become conclusive proof even though there had been no arson at all, but the occupant of the house had himself set fire to the house; and that person, although he had burnt the house himself, could go with a warrant in his hand before a Grand Jury and claim damages from the county. The result would be, if the Amendment was not accepted, that countless frauds would be committed, and an amount of mischief done which could not now be conceived. He, therefore, considered that the illustration given by the Attorney General for Ireland was absolutely conclusive as to the importance of the proposed alteration of the clause.

MR. SYNAN put it to the Government whether, having placed the Committee in such a state of embarrassment, they should not consent to report Progress, and not force the Committee to a division upon words which they could not positively say were necessary, and which, if not necessary, might be mischievous? That was not a time to enter into a legal argument; but if it were, he thought he could show that the argument of the hon. and learned Gentleman the Solicitor General for Ireland had no force whatever. Where would he find in the Bill that it was necessary to state in all cases that the district should be proclaimed? There was no necessity. He thought it would be better that the Government should take time to decide whether the words in the clause were absolutely necessary or not, and would, therefore, themselves move to report Progress.

MR. DILLON said, the hon. and learned Solicitor General for Ireland's remarks had proved to his mind that the words were unnecessary, and it had been shown by other hon. Gentlemen that they could be used for a very mischievous purpose—a purpose for which they never could have been intended. To his (Mr. Dillon's) mind it was perfectly absurd to discuss whether the words should remain in the Bill or not, without some definite statement from the Government as to the grounds on which they considered them necessary. There appeared to be a vague impression amongst hon. Members that the Government considered them necessary; but the only Member of the Government who had got up to prove it had conclusively shown the contrary. As for hon. Members on the Front Opposition Bench, they had, first of all, shown that the words ought to be left out, and then they had consented to their being left in, throwing the responsibility on the Government. That, he submitted, was not a proper spirit in which to approach the decision of such an important Amendment; therefore, he would conclude with the Motion that the Chairman do now leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Dillon.*)

Mr. W. E. FORSTER said, he would not ask the Committee to go to another division; and if the Motion were withdrawn he would consent to reporting Progress.

Motion, by leave, *withdrawn.*

Committee report Progress; to sit again *To-morrow.*

MOTIONS.

RAILWAYS—THE RAILWAY COMMISSION OF 1873—CHARGES FOR CARRIAGE ON RAILWAYS AND CANALS.

MOTION FOR A SELECT COMMITTEE.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the charges of Railway Companies for the conveyance of merchandise, minerals, agricultural produce, and parcels on Railways and Canals, into the Laws and other conditions affecting such charges, and into the working of the Railway Commission of 1873; and to report as to any amendment of the Laws and practice affecting the said charges and the powers of the said Commission that may be desirable."—(*Mr. B. Samuelson.*)

Mr. MONK said, he did not regret to see that the Government consented to the appointment of this Committee. He thought in the second line of the Motion as it stood on the Paper, after the words "Railway Companies," "Canal Companies, and Railway and Canal Companies," should be included. As the Motion stood, the inquiry would only be into the charges of Railway Companies.

Amendment proposed,

In line 2, after the word "Companies" to insert the words "and Canal Companies, and Railway and Canal Companies."—(*Mr. Monk.*)

Question proposed, "That those words be there inserted."

Mr. HEALY asked, whether the Motion applied to Ireland?

Question put, and *agreed to.*

Main Question, as amended, proposed.

Mr. HEALY said, he would move that the inquiry extend to Ireland.

Mr. B. SAMUELSON informed the hon. Member that it did extend to Ireland.

Main Question put, and *agreed to.*

Ordered, That a Select Committee be appointed to inquire into the charges of Railway Companies, and Canal Companies, and Railway and Canal Companies, for the conveyance of merchandise, minerals, agricultural produce, and parcels on Railways and Canals, into the Laws and other conditions affecting such charges, and into the working of the Railway Commission of 1873; and to report as to any amendment of the Laws and practice affecting the said charges and the powers of the said Commission that may be desirable.

COMMITTEE ON PUBLIC PETITIONS.

INSTRUCTION TO THE COMMITTEE.

Sir DAVID WEDDERBURN said, the Motion he had upon the Paper was a very simple one, and entirely explained its own object; and he could not think there could be any objection to it on the part of the House. The facts were these—certain important Petitions which had been sent from India, though very carefully drawn up, were found to be informal, and the Committee on Public Petitions had been unable to print them. The Committee had several times divided on the question, not as to whether they should print the Petitions, but as to whether they had power to receive them. In making the Motion he did, he had the authority of the Chairman of the Committee on Public Petitions; and he thought that as the right hon. Gentleman at the head of Her Majesty's Government had once made a similar Motion, not in regard to Petitions in general, but in respect of a particular Petition, the Government could not object to the proposal.

Motion made, and Question proposed,

"That it be an Instruction to the Committee on Public Petitions, that they have power in the case of Petitions from India to receive and print Petitions, which may be informal under the Rules of the House, if it shall appear to the Committee that the informality is due to inadvertence or ignorance of the Rules."—(*Sir David Wedderburn.*)

Lord RANDOLPH CHURCHILL would appeal to the hon. Member not to press his Motion at that hour of the night (1.40 A.M.), for the question was a very important one; and though the Motion had the approval of the Chairman of the Committee on Public Petitions, that hon. Member was not in his place, and it should not be agreed to until the grounds on which it was based were fully explained. He (Lord Randolph Churchill) had heard very important debates raised on this question of informal Public Petitions, and the matter was one which always attracted a large amount of interest. Much as he respected the opinion of the Chairman of the Committee on Public Petitions, he must ask the hon. Baronet (Sir David Wedderburn) to let the Motion stand over until it could be discussed.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Lord Randolph Churchill.*)

MAJOR NOLAN hoped the noble Lord would withdraw his Motion. If the hon. Baronet (Sir David Wedderburn) was not allowed to proceed with the question that night, someone might put down a blocking Notice, and he might have to keep in the House night after night at great personal inconvenience. The hon. Baronet might not be able to proceed with it at all. The people of India were very much interested in the question, as hundreds of Petitions were sent back respecting some informality, owing to ignorance of the Rules of the House. The Irish constituencies were interested in the subject also, for it was only the other day that a Petition was sent back to that country owing to the slight error that the words "Your Petitioners will ever pray" were put at the wrong end of the document. The proposal seemed very reasonable; and as there would be plenty of opportunities for raising the general question, he hoped the Motion for the adjournment of the debate would be withdrawn.

MR. R. N. FOWLER agreed with the hon. and gallant Member (Major Nolan), and could not see how the hon. Baronet (Sir David Wedderburn) would ever be able to bring on his Motion at an earlier period of the evening. The time of the House was taken up at an earlier period by the discussion of Irish matters. He would ask the House to recollect the great difficulty in which their fellow-subjects in India were placed. It was not possible to get them to understand the Rules of the House as people in England understood them, and the result was that a great many mistakes were made in the Petitions. The House ought to look leniently upon such mistakes.

MR. PUGH said, he hoped the Motion for adjournment would not be pressed. He did not wish to take up the time of the House by pointing out what few facilities the Natives of India had for getting their views represented at all in Parliament; but those facilities were very meagre. What was put forward in support of the Motion for adjournment? The noble Lord said the Chairman of the Committee on Public Petitions was not in his place, and that was perfectly true; but surely there could not be a stronger ground than that for saying that the Chairman was satisfied with the justice of the Motion? And that argument would apply in the case of the noble Marquess the Secretary of State for India (the Marquess of Hartington). No one could doubt that if the noble Marquess had considered there was an objection to be taken to the Motion he would have been in his place to point out that objection. All that was the matter with the Petitions was certain informalities; and he considered it would have an evil aspect if the House adjourned the debate, and so threw over the Motion to some future time—probably to another Session.

MR. DODSON thought the House might very well agree to the Motion of the hon. Baronet (Sir David Wedderburn). The matter had, he presumed, been submitted to the Chairman of the Committee on Public Petitions, who had agreed to it on behalf of that Committee. The House would see that it was only an empowering Resolution, giving the Committee a discretionary power to admit Petitions from India in cases where there were informalities, nor defects of character or substance.

MR. D. O'CONOR wished, as a Member of the Committee on Public Petitions, to make a remark on this subject. The hon. Baronet (Sir David Wedderburn) had not the authority of the Chairman to say that he approved of the Motion on behalf of the Committee, for the Committee had authorized no such statement. When the matter was brought before them, the general opinion was that it would be inconvenient to make an alteration in the Rules of the House, for this was not a mere matter of irregularity on the part of their fellow-subjects in India as the Motion would lead one to suppose. If it were, there would be no objection to the Motion; but the difficulty had arisen through a number of Petitions having come from India, praying that charges should be defrayed out of the public funds in this country, which otherwise would be defrayed out of the public funds of India. It was a direct Rule that if a Petition prayed for public money it could not be accepted by the House; and, therefore, if they passed this Resolution, they would be passing that which would be an infraction of a Rule that, up to the present time, had been adhered to most strictly. The Committee would have no difficulty in dealing with the matter under the new Rule, if the Motion were accepted; but he wished the House to know that there was no general opinion on the part of the Committee that the existing Rules should be altered.

SIR HENRY HOLLAND said, that, after the statement they had just heard from a Member of the Committee, they should hesitate to pass the Motion until the Chairman of the Committee were in his place. The Resolution, if passed, would be taken by the Committee as almost an order or direction to them to print these Petitions unless there were some strong objection to that course. The Committee, it seemed, had not decided on the matter, and were not agreed upon it; and it was, surely, not of such vital importance that the House could not wait until the Chairman of the Committee could take part in the discussion.

MR. M'LAGAN said, he was also a Member of the Committee, who were not unanimous on this question, which had never been raised formally before them. They must bear in mind that it was very easy for them to send back an informal Petition to their constituents; but it was a different thing to send back a Petition to India, whence it could not, in all probability, be returned until the following Session. The Committee should have a discretionary power, which they would, no doubt, exercise in accordance with the views of the House; but care should be taken that it was not made an Order.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Ordered, That it be an Instruction to the Committee on Public Petitions, that they have power in the case of Petitions from India to receive and print Petitions, which may be informal under the Rules of the House, if it shall appear to the Committee that the informality is due to inadvertence or ignorance of the Rules.

Mr. D. O'Connor

PUBLIC ACCOUNTS.

Committee of Public Accounts *nominated:*—Sir WALTER BARTTELOT, Lord FREDERICK CAVENDISH, Sir GABRIEL GOLDNEY, Sir HENRY HOLLAND, Mr. LAING, Sir JOHN LUBBOCK, Sir CHARLES MILLS, Mr. RYLANDS, Mr. SEELY, Sir HENRY SELWIN-IBBETSON, and Mr. SHAW.—(*Lord Frederick Cavendish.*)

House adjourned at ten minutes before Two o'clock.

HOUSE OF COMMONS,

Wednesday, 16*th February,* 1881.

MINUTES.]—PRIVATE BILLS (*by Order*)—*Second Reading*—Metropolitan Bridges and Ferry Roads*.
Withdrawn—Bristol Corporation (Docks Purchase)*.
PUBLIC BILL—*Committee*—Protection of Person and Property (Ireland) [79]—*Fifth Night*—R.P.

ORDER OF THE DAY.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL—[BILL 79.]

(*Mr. W. E. Forster, Mr. Gladstone, Sir William Harcourt.*)

COMMITTEE. [*Progress* 15*th February.*]
[FIFTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Power of Lord Lieutenant to arrest and detain).

Amendment proposed,

In page 1, line 18, after the word "evidence," to leave out the words "of all matters therein contained, and."—(*Mr. Callan.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. JUSTIN M'CARTHY had hoped that the Chief Secretary would have risen to announce, on the part of the Government, after last night's discussion, and after having given calm consideration to the question, that they could see their way to the acceptance of this

Amendment, and would withdraw the words objected to from the Bill. It would be remembered that last night the Committee got into a state of considerable confusion over these particular words. It was found—to put the case mildly—that there was a lack of cohesion and understanding among Her Majesty's Legal Advisers. The Attorney General for Ireland formed one opinion; the Solicitor General for Ireland another; but the Attorney General for England was unable to understand either of those learned Gentlemen, and the right hon. Gentleman the Chief Secretary could make nothing of the three. Under these circumstances, he had thought it possible that the Law Officers of Her Majesty would meet and come to some clear understanding as to what the meaning of the clause was; and that some decision would have been arrived at to satisfy the objections raised on that side of the House. The present condition of matters was simply this. The Bill contained a declaration that the warrant issued by the Lord Lieutenant should

> "Be conclusive evidence of all matters therein contained, and of the jurisdiction to issue and execute such warrant, and of the legality of the arrest and detention of the person mentioned in such warrant."

The Amendment proposed by the hon. Member for Louth (Mr. Callan) was to leave out the words "of all matters therein contained." The objection to these words as they appeared in the Bill was the very obvious one that they seemed, on the face of the Bill, to make the warrant in itself conclusive evidence that the man charged was guilty of the offence ascribed to him in the warrant. That was not the meaning assigned to the words by the Government themselves; but it was the meaning assigned to them on that (the Opposition) side of the House, and especially by the hon. and learned Gentleman the Member for Preston (Sir John Holker), the late Attorney General. The Chief Secretary said that it was not meant to absolve the Lord Lieutenant and his advisers from any responsibility—that it affirmed nothing more than that there was a reasonable suspicion on which to arrest the man. To this the answer was that the clause, as the Amendment proposed to make it, would still affirm the legality of the arrest and detention of the person named in the warrant. The words which remained saved all the officials from any legal consequences arising out of the discharge of their duty; and it could hardly be required, in addition, that the officials should be relieved even of the vague imputation that they might have detained a man upon an unreasonable suspicion. If the Lord Lieutenant and the other authorities wanted to be exonerated from future consequences, the clause without the words objected to would give them ample indemnity. Possibly the Lord Lieutenant wished to be relieved of the responsibility of making a careful investigation of each case before he issued a warrant.

MR. W. E. FORSTER: I said, undoubtedly, that the Lord Lieutenant and his responsible Advisers would have to examine every case; but while I said that to show that they would be responsible for the conclusions arrived at, I did not mean to give an absolute pledge that they would examine into the facts of every individual case.

MR. JUSTIN M'CARTHY said, the right hon. Gentleman had refused to accept an Amendment which placed on the Lord Lieutenant or the Chief Secretary the responsibility of looking into every individual case.

MR. W. E. FORSTER: The hon. Member is referring to a past discussion. That, however, was not the Amendment. The Amendment had reference only to the mode of conducting the investigation. I have never for a moment stated that the Lord Lieutenant would be acquitted of his responsibility of investigating the cases upon which he is required to issue a warrant.

MR. JUSTIN M'CARTHY said, that, at any rate, the Bill as it stood would relieve the Lord Lieutenant and the Chief Secretary of any responsibility for the arrest or detention of a person charged with an offence under the Act. Whether they trusted to themselves, or to subordinate officials, they would be still in some way relieved of all responsibility. The Bill even went a step further, and relieved them of the historical responsibility of having unreasonably detained a man on suspicion. It not only relieved them of legal responsibility, but it went further, and affirmed, by an Act passed by Parliament, that the Lord Lieutenant and the right hon.

Gentleman the Chief Secretary were historically free from the moral responsibility of having arrested and detained a man upon unreasonable suspicion. That was the only advantage which the retention of these words could have over their omission. But, on the other hand, there might be this great disadvantage in retaining them—that they would stamp upon any man arrested under the Lord Lieutenant's warrant the actual affirmation of his guilt, as if he had been actually tried and found guilty. ["No!"] That, at any rate, was the opinion of many of the legal Members of that House; and when a matter was so much in doubt, and men fully qualified to judge differed so essentially, he maintained that before the Government insisted on keeping the words in the clause, they were bound to show that there was some strong necessity for retaining them. He thought the Government would have done wisely, and would have run no risk whatever, if they had taken counsel among themselves since the Sitting of last night, and had consented to accept the Amendment for the omission of the obnoxious words. If they declined to take this course, they must not be surprised if the Committee came to the conclusion that there was some hidden meaning in the words beyond what had been already explained.

Mr. W. E. FORSTER: The hon. Member for Longford (Mr. Justin M'Carthy) has put his own construction upon these words, and it is a construction which is altogether unfounded. I can hardly imagine how, with the hon. Member's knowledge of the world, he could have arrived at such a conclusion. How would it be possible for the Lord Lieutenant or the Government to escape condemnation, by the technical words put in the Bill, for any misuse of their powers? It seems to me almost childish to suppose that we can imagine, by the insertion of any words in this Bill, that we could escape the historic responsibility of any misuse of the powers conferred upon us by a measure of this kind. Then comes the question—Why have the words been inserted in the clause? I at once admit that the words under discussion, being a technical part of the Bill, I have not, perhaps, mastered them as much as I ought to have done; but I considered it a technical legal question merely to establish the validity of the warrant, and one which in no way affected the real principle of the Bill. As I understand them, the words cannot be fairly supposed to mean that the warrant of the Lord Lieutenant is to be held to be conclusive evidence of the guilt of a man. I imagine it is impossible that they can have that result. The hon. and learned Member for Preston, the late Attorney General (Sir John Holker), is, unfortunately, not in his place; but I feel perfectly sure that he is of the same opinion, or he would not have continued the Westmeath Act, which contains these exact words. What is the reason for retaining them? It is that the proof of the warrant for the purposes of this Act should be self-contained, that it should require no external proof, and that it should be conclusive evidence "of all matters therein contained," such matters being described in the previous part of the section—for instance, the fact that the offence has been committed within a prescribed district. It is desirable that the warrant should be conclusive evidence of the prescription of a district, and, not that the arrest by the Lord Lieutenant should be held to be proof of the guilt of a man, but that the Lord Lieutenant should have declared him to be reasonably suspected. It is desirable that a statement to that effect should be contained in the warrant in order that the warrant may take care of itself. It is recited, however, that the warrant is only conclusive for the purposes of the Act; and it is not intended, nor is it the meaning of these words, that it should be construed into a declaration that the warrant is to be put to any other purpose, or to be conclusive evidence of the guilt of the person accused.

Mr. FINIGAN could only account for the extraordinary argument of the right hon. Gentleman the Chief Secretary by remembering that not only he, but all the Members of Her Majesty's Government, had throughout the discussion of the Bill said one thing and meant another. The right hon. Gentleman asked how it would be possible that the Government could escape condemnation? He thought the right hon. Gentleman was trusting rather to his hopes than to his arguments. The Chief Secretary further told them that no hon. Member could interpret the words as they had been interpreted by the hon.

Member for Longford (Mr. Justin M'Carthy), without showing a great lack of legal knowledge. He (Mr. Finigan) thought Her Majesty's Government displayed a still greater lack of legal knowledge. He preferred to take the Bill exactly as it stood. It must be remembered that it would not be administered in accordance with the spirit of the speeches delivered in Committee, but according to the absolute wording of the Bill, as it would be understood by the Law Officers of the Crown in Ireland and by the Lord Lieutenant. By those officials it would be translated literally, word for word, and it was one thing to say that the retention of these words would not alter the character of the Bill, but quite another thing to prove it. The words as they stood, if they meant anything, meant this—that upon a person being arrested under a warrant issued by the Lord Lieutenant, everything contained in the warrant should subsequently be held to be conclusive evidence against the accused, and accordingly they would form conclusive evidence of the reasonableness of the suspicion under which a man was arrested and detained. If Her Majesty's Government wished to be either a logical, a reasonable, or a just Government, they ought to make some attempt to get out of the quagmire into which they had been led by their Legal Advisers, and place the matter in a proper light. The Government could not want genuine conclusive evidence, because they had refused an Amendment by which evidence would have been rendered absolutely necessary; and the words in the clause could only mean that, whatever crime was specified in the warrant, the warrant itself should be conclusive evidence as to the commission of that crime. They either meant that, or they meant nothing at all. If the words were omitted from the clause, there would simply be an authority to arrest a man on a reasonable suspicion that he had done something wrong, and the warrant itself would form conclusive evidence of the jurisdiction to issue and execute such warrant, and of the legality of the arrest and detention of the person mentioned in it.

MR. WHITLEY had no doubt that the meaning given by the Chief Secretary was the right interpretation of the clause. If he thought the interpretation given by the hon. and learned Member for Preston (Sir John Holker) was the right one, he could not support it; but he was satisfied that the only effect of these words was to protect the Lord Lieutenant in the exercise of the functions imposed upon him by the Bill. It would be unfair if the Committee, having imposed onerous duties on the Lord Lieutenant, were to refuse to give him the protection he needed in the discharge of those duties. The words of the clause were not mere words of technicality; but, to his mind, were words of importance, and necessary to be contained in the Bill, because they would prevent the Lord Lieutenant from being harassed by actions for acts which he did in the exercise of the functions imposed upon him. He therefore trusted that the Committee would support the Government, believing that the clause would have no effect whatever upon the guilt or innocence of the prisoner.

MR. EDWARD CLARKE hoped that, upon a re-consideration of this clause, the right hon. Gentleman the Chief Secretary would consent to the Amendment. It was with very great reluctance that he had interposed in the discussion, and he would not have done so on any account if he thought that Her Majesty's Government were asking the Committee by the clause to give them any power that was essential to the proper conduct of the Bill. But he had listened to the explanation of the right hon. Gentleman, and he failed to find in it any indication that any useful meaning was attached to these words. He would ask the Committee to inquire with him what the words were. The warrant, if the words were to be retained, was to be conclusive evidence of all matters therein contained. The warrant had to declare, in the first instance, that a person was reasonably suspected. It would then go on to declare that the offence of which he was suspected was committed in a prescribed district, and that other matters required by the Act had been attended to. If the Chief Secretary to the Lord Lieutenant would himself examine the words of the clause, he would see that there was not the smallest necessity for retaining them, because they were followed by a provision that every such warrant should be conclusive evidence of the jurisdiction to issue and execute it. That covered the question of the prescribed district, because if it were not a prescribed district the jurisdiction would not exist. Then it further provided that it was to be conclusive evidence of the legality of the arrest and detention of the person mentioned in such warrant. That was a complete protection to the person who issued the warrant, and a conclusive answer to any charge that might be made in a Court of Law on the warrant. Then, what were these particular words wanted for? They were either mere surplusage, or they were to be conclusive evidence that the person charged was reasonably suspected. He did not think the Lord Lieutenant ought to ask for that. The Lord Lieutenant and the Chief Secretary were entitled to ask that they, in the exercise of their discretion in issuing the warrant, should be amply protected from any proceedings that might be taken against them; but he did not think they were entitled to ask the House of Commons to declare that they should have the right to issue a warrant which was to be conclusive evidence that they had reasonably dealt with the matter. He hoped the right hon. Gentleman the Chief Secretary and those who were advising him in regard to matters of law would see their way to consent to the omission of these words, because it would be with great regret that he should vote against the Government Bill at this stage, although, at the same time, it was with the greatest reluctance that he found himself obliged to support them in passing such an obnoxious measure.

Mr. T. C. THOMPSON thought that, unless great care were taken with the clause, the Committee would find themselves involved in considerable difficulties. All the prisoners in the United Kingdom were either convicted of offences, or, although unconvicted, were awaiting trial, having been put in prison because they were believed to have been guilty of offences. Having put a man in prison, he was only detained there, as a rule, until he could have an opportunity of being tried by a jury of his countrymen. But in this case they were placing every person who was merely arrested on suspicion in the position of a convict. They were told that their system for the administration of justice was the best that could be found. He quite admitted it; but in this case the arrested man was at once placed in the position of a convict. The Bill itself showed that such practically was the case, because it contained a clause which declared that, although a convict, he should not be treated as one. Without referring to the large number of persons who, when the passing of the Bill became imminent, would make a stampede and take places on board the steam-boats to America, it was very likely that some such man as Casey would be arrested, and that at some future time he might commit some other offence. In such an event, would it be possible for the Government to put in as evidence of a previous conviction this warrant of the Lord Lieutenant? He thought it should be clearly laid down in the Bill that the warrant should in no case be used for any purpose except the arrest and detention of a prisoner. A man might be brought up for an act of violence, such as an assault, and an attempt might be made to prove a previous conviction. The first thing done would be to put in this warrant, and the mere fact of its being placed before a jury would go far to prejudice a case. In dealing with political offences of this kind, they should take care that the warrant should never, on any occasion, be used to prejudice any person who might be brought up on another charge.

Mr. BRADLAUGH was of opinion that the real point at issue had been clearly put before the Committee by the hon. and learned Member for Plymouth (Mr. Edward Clarke). These words were not needed for the protection of the Lord Lieutenant. That was made clear by the words of the section itself, because the warrant was made evidence of the legality of the arrest and detention of the prisoner and of the jurisdiction to issue and execute it. Therefore, if these words were necessary at all, they were necessary for some purpose that had not been declared to the Committee, and he should vote against their retention.

The SOLICITOR GENERAL (Sir Farrer Herschell) could not see how it could be supposed that any Court of Justice would permit the warrant to be used for any purpose except those connected with the Act itself. [Mr. Gibson dissented.] The right hon. and learned Gentleman opposite (Mr. Gibson) shook his head; but he could quote 20 cases in support of his opinion. He was perfectly satisfied that no Court would ever allow the warrant to be even produced, except for the purpose of proving the legality of the instrument under the provisions of the Act.

MR. BRADLAUGH remarked that the clause did not say "conclusive evidence for the purposes of the Act."

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) was aware that it did not say so; but no Court of Justice would allow it to be used for any other purpose; and his right hon. Friend the Chief Secretary would have no objection to allow the insertion of words in the clause to provide that it should only be conclusive evidence of "all matters therein contained" for the purposes of the Act. That was certainly all that was meant. What the warrant did was to give power to arrest, not by reason of the fact that there was reasonable suspicion, but by virtue of a declaration of reasonable suspicion, and the warrant was only conclusive evidence that the Lord Lieutenant had declared a man to be reasonably suspected. With the view of avoiding all doubt, the Government would not have the slightest objection to insert the words "for the purposes of this Act."

MR. CALLAN wished to call attention to the 14th New Rule, which stated that no Member should speak twice on the same question, except the Member in charge of the Bill or the Member moving an Amendment. He was anxious, as the Mover of the Amendment, to say a few words; and he hoped, seeing that an indulgence had been granted to the right hon. Gentleman the Chief Secretary, that the same indulgence would be extended to himself. It would be most undesirable, he thought, to lay down one Rule for Members of the Government and another Rule for other hon. Members.

THE CHAIRMAN: The hon. Member is entitled to address the Committee for purposes of explanation; but he has no right to address it upon the general question of the Amendment.

MR. CALLAN would only explain that when the Chief Secretary proposed to break the Rules of the House—— ["Order!"] He was perfectly in Order; and he wished to express his regret that the ruling of the Chairman should be so one-sided on so important a question.

THE CHAIRMAN: When the debate which was adjourned yesterday was resumed to-day the right hon. Gentleman in charge of the Bill proposed to explain to the Committee the intentions of the Government in regard to the substance of the Amendment; and I thought the Committee would be aided by having such an explanation. The Committee would extend the same indulgence to the hon. Member who moved the Amendment; but the hon. Member would only be entitled to speak in the way of explanation as to any mistakes which might be entertained in regard to his Amendment.

MR. CALLAN said, the mistake he had made in moving the Amendment was that in not referring to the Westmeath Act, on which the Bill was said to have been founded, and he had been led into an unintentional misstatement.

THE CHAIRMAN: The hon. Member is not at liberty to enter into that question.

MR. CALLAN: I ask to be allowed, Sir——["Order!"]

THE CHAIRMAN: If the hon. Member disobeys the ruling of the Chair he knows what course it will be necessary for me to take.

MR. T. P. O'CONNOR did not think that the Solicitor General had properly understood the point which had been raised by the hon. Member for Durham (Mr. T. C. Thompson). The hon. Member did not say that the warrant could be used as evidence in a Court of Justice, because a just Judge would not permit it so to be used; but what he said was that a counsel might bring forward the warrant as conclusive evidence in another case, and although the Judge might prevent the production of the warrant, yet the fact of its existence would have been placed before the jury, and it would thus produce an effect upon their minds. The hon. and learned Gentleman had had a long experience in *Nisi Prius* practice. Although not a lawyer, he (Mr. T. P. O'Connor) had often attended sittings in Court, and he had noticed the stratagem frequently resorted to for the bringing in of some document, which the counsel knew very well would not be admitted as evidence, but which he knew, also, would have considerable influence on the mind of the Court. In the Irish Courts it was one of the best known species of strategy to edge in, as it were, some damning fact which was calculated to prejudice the minds of the jury. ["Oh!"] Of course, all lawyers according to themselves were virtuous, and the right hon. and learned Attorney General for Ireland shook his head as if he had never heard of such a thing before in his life. He would not ask the right hon. and learned Gentleman to examine his conscience and refresh his memory; he only mentioned the circumstance as one which had occurred within his (Mr. T. P. O'Connor's) knowledge, and as one, also, that was intended to produce an effect upon the minds of the jury. The hon. Member for Liverpool (Mr. Whitley) had favoured the Committee with his legal interpretation of the clause; but he would pit against the authority of the hon. Gentleman the authority of the hon. and learned Member for Plymouth (Mr. E. Clarke), and the hon. and learned Gentleman the Member for Preston (Sir John Holker). Certainly, if he wanted to employ a counsel, he should much prefer those hon. and learned Members to the hon. Member for Liverpool. He thought the hon. and learned Solicitor General had said something which proved that these words were not mere surplusage. In point of fact, the hon. and learned Gentleman admitted that they meant all that those who objected to them said they did. But suppose that they meant nothing at all, then what was the necessity for putting them there? Everything that was surplusage was mischievous in an Act of Parliament. Up to the present moment he had always been under the impression that the more words were necessary to explain an Act the better it recommended itself to the intelligence of a lawyer. He, however, altogether disputed the dictum that their surplusage was necessary or advisable in any Act. They could not have too few words to show the intentions of an Act of Parliament. The hon. and learned Gentleman the Solicitor General took a clearly legal view of the question. Lawyers in that House always took a *Nisi Prius* view of a question to the exclusion of all others; and probably that was the reason why lawyers, as a rule, had never been successful as orators in that House. The clause said—"Every such warrant shall be conclusive evidence of all matters therein contained." Now a man's character was often his most precious possession. Under this Bill he might be declared by a warrant of the Lord Lieutenant to be reasonably suspected of murder. The public would take up the Act, and would find that the warrant was conclusive evidence of all matters therein contained, and in that way it would be regarded as conclusive evidence of the reasonableness of the suspicion. A mischievous person would rake up the warrant and say to a man—"You were arrested on suspicion of murder; the warrant is conclusive evidence of the reasonableness of the suspicion; and, therefore, you were reasonably suspected and imprisoned for the committal of an atrocious and bloody crime." That was the social view of the matter. He came now to the legal view. Every one of these arrests might, in course of time, have to be discussed in that House. It might be that under the terms of the Act a Member of Parliament might be incarcerated. [Mr. WARTON: Hear, hear!] He was anxious to protect the future. The hon. Member for Bridport (Mr. Warton) might be put in prison under this Act; and he presumed that this was the hon. Member's way of expressing his gratitude for the pains he was taking to secure his comfort and protection in the future in the event of his being apprehended. If the hon. Member were put in prison under a reasonable suspicion of having committed murder or manslaughter, or inciting to acts of violence or intimidation which might disturb the maintenance of law and order, in fairness to the hon. Member he assumed that some time or other the case would be discussed in that House. If it was not to receive discussion, then the words inserted in the clause were meant as a snare for the unwary. ["Question!"] He was speaking strictly to the Question. If the warrant was to be laid on the Table of the House within seven days after the arrest took place, surely it meant either that the House could discuss the case or that they could not. If they could, then it was a legitimate provision against the harsh exercise of the powers conferred by the Bill; but if they could not discuss it, then it was only a snare. He would assume that an hon. Member was put in prison under the terms of this Act; and he assumed, as an inevitable inference, that the case would come under the review of the House. What would then take place? The right hon.

Gentleman the Chief Secretary, being pressed by other business, would say that he was ready to discuss the case; but if they would refer to the Act they would find that every warrant should be conclusive evidence of the matters contained in it. The House knew that when Governments were pressed they would not stop for trifles; and, therefore, he anticipated that they would find the right hon. Gentleman rising to decline to discuss any case to which his attention might be called. These being the circumstances of the case, he submitted that the right hon. Gentleman the Chief Secretary would be doing a graceful act if he would yield to the representations which had been made to him on the question, not by the Irish Members alone, but by the highest legal authorities on that side of the House. He was convinced that the best way to restore that good feeling which ought to exist was by concessions on both sides of the House, and a disposition to come to some satisfactory compromise. If, however, Her Majesty's Government insisted on rejecting the Amendment, he hoped the whole would be made perfectly clear to the public. The explanation made by the right hon. Gentleman the Chief Secretary that day encouraged and fortified the Amendment, because the right hon. Gentleman declared that he would not personally investigate each case, but that he would take refuge behind the words of the Bill. The right hon. Gentleman had previously declared that he would personally investigate every case. [Mr. W. E. FORSTER: I never said so.] Then the right hon. Gentleman had said that he would not personally investigate each case; and if the right hon. Gentleman would not personally investigate each case, what became of the responsibility which the Bill threw upon him? Did the right hon. Gentleman mean that the Lord Lieutenant would personally investigate each case? There was a vast difference between a personal investigation by the Lord Lieutenant and by the right hon. Gentleman the Chief Secretary, who had a seat in that House and could be interrogated by hon. Members. [Mr. W. E. FORSTER: Hear, hear!] The right hon. Gentleman accepted that explanation; and as he had relieved himself of the responsibility, the admission made by the right hon. Gentleman strengthened the case for the omission of these words. If the Lord Lieutenant was allowed to say—"Every such warrant shall be conclusive evidence of all matters therein contained," that would be a bar to all further inquiry, notwithstanding the fact that some poor man might have been put in prison on the evidence of some wretched informer like Talbot.

SIR WILLIAM HARCOURT: I do not rise to defend the character of the lawyers from the unfavourable opinion which has been expressed by the hon. Member, nor do I think that the points which have been put to the Committee by the hon. Member have really much force. What is his first point? He says that if you put these words in this warrant they may be produced for the sake of prejudicing a jury in some other case. But the warrant would exist whether these words are in it or not; and as far as that goes, if you strike out the words, the production of the warrant would have an equally prejudicial effect upon the mind of a jury. Therefore, there is nothing in that point at all. The Amendment would not affect that view of the case. Then he says—"It would have a social effect, and if you have these words in all the world will believe that everything stated in the warrant is true, whether it be so or not." Now, I do not think that the opinion of the public or of society is very much affected by Acts of Parliament, and whether these words are in the Act or not people will form exactly the same opinion on the subject. Let us look at what the real object of the words is. It must be remembered that the object of the Bill is avowedly to oust the jurisdiction of the Courts of Law. If you are to do that to any purpose at all you must prevent any question as to the legality of the warrant or of the arrest being raised in the Courts of Law. That is what we have to do, and we must not allow that to be done collaterally in a Court of Law which we do not intend to be done directly, and that no issue of fact or of law is to be raised on this warrant, or otherwise your whole object would be defeated. Then it is quite clear that some words of this kind are necessary for the purpose, in order to prevent such an issue being raised in a Court of Law in regard to the warrant or to the arrest. The hon. Member says that that is quite true, but that he has a further objection. What is the objection he takes? His objection is that the words in the Bill might be construed to go beyond the four corners of the object of the Act—that they might by possibility be employed for some other object than that which Parliament has in view. I do not think there is any indisposition on the part of the Government to meet that objection. My right hon. Friend said he was ready to insert words which should make clear the jurisdiction of the Court in reference to the warrant, making it apply to the arrest and detention, and to that alone. That appears to me to meet the case entirely. I will only mention the last point of the hon. Member—namely, that these words may have a political meaning, and that the Government may get up, when these warrants are laid on the Table of the House of Commons, and object to any discussion or inquiry in reference to them on the strength of this clause. Now, I venture to say that there cannot be a man in this House who believes this clause would have any such operation whatever. It is perfectly clear that the intention of the clause, with the addition of the words which my right hon. Friend says he is willing to import into it—and it will have no other operation—is to prevent the legality of the warrant, or of the facts contained in it, being questioned in a Court of Law in order to defeat the arrest or detention. I believe that that is a fair statement of the case, and I believe that the intention expressed by my right hon. Friend will meet all reasonable objection.

Mr. SYNAN said, the right hon. Gentleman the Home Secretary said it was necessary to exclude the jurisdiction of the Courts of Law. But any jurisdiction on the part of the Courts of Law was excluded by other words in the Bill, which said that the warrant should be conclusive evidence of the jurisdiction to issue and exclude such warrant, and of the legality of the arrest and detention of the person mentioned in it. Therefore, there was no foundation whatever for the argument of the right hon. Gentleman, seeing that the jurisdiction of the Courts was already excluded quite independent of these words.

The CHAIRMAN: Has not the hon. Member already spoken upon the Amendment?

Mr. SYNAN said, he had not. He had spoken upon the Question of Progress last night, but not on the Amendment.

The CHAIRMAN: If the hon. Member spoke on the Motion for reporting Progress last night, he is not entitled to speak now.

Mr. BOURKE thought that a more convenient form of words than those contained in the present clause appeared in the Westmeath Act. The words there were—

> "For the purpose of such arrest, commitment, or detention, or justifying the same respectively, shall be, and be deemed and taken by all courts, judges, justices, and others, and in every proceeding stated and recited conclusive evidence of the existence of all facts and matters necessary to give and constitute the authority or jurisdiction, to make, issue, and execute such warrant, and of the legality of the arrest, commitment, or detention, under or in pursuance of such warrant of the person whom such warrant shall authorize to be arrested, committed, or detained."

These were words of limitation; but they were evidently thought necessary at the time the Westmeath Act was passed; and after the observations which had been made by the Home Secretary and the Solicitor General, it was perfectly clear that the words which the Government proposed to introduce into the Bill would be a limitation in the same direction as the words he had just read. By adopting them, he thought the objection which was entertained upon those Benches to the clause as it stood would be removed. One word as to the form in which an Amendment could be introduced. The Amendment before the Committee proposed the omission of part of the present clause, and hon. Members might be in some difficulty as to the way in which they should vote. Personally, he should not like to vote for the omission of the words; and if the Government would introduce the words they had already promised, in a future stage of the Bill, he thought, under all the circumstances, that would be sufficient.

Question put.

The Committee *divided*:—Ayes 127; Noes 41: Majority 86.—(Div. List, No. 49.)

Lord RANDOLPH CHURCHILL remarked that, in consequence of the curious way in which the Question had been put, it would not be possible to put another Amendment. He would, therefore, simply ask the right hon. Gentleman the Chief Secretary whether he would agree to adopt the form of words used in the Westmeath Act?

MR. W. E. FORSTER: The most convenient course, I think, would be, on the Report, after the words "conclusive evidence," to insert the words "for the purposes of this Act."

MR. CALLAN said, it would be in the recollection of the Committee that great stress had been laid by the right hon. Gentleman the Chief Secretary and by the Law Officers of the Crown upon the fact that this Bill was *ipsissima verba* the same as the Westmeath Act. He hoped the mistake was not an intentional one; but it certainly was an inadvertence which had misled the Committee, and it had been stated as the sole and absolute justification for the insertion of these words. It now appeared that the words were not in the Westmeath Act at all. He, in common with other hon. Members, had taken the statement of the Government to be correct, and he now found that he had been misled. The Attorney General for Ireland had assured the House that the Westmeath Act had the words—"All matters therein contained." ["No!"] It would be quite sufficient for the right hon. and learned Gentleman, who was in his place, to correct the statement if it was incorrect, and not for non-legal Gentlemen below the Gangway, who probably never read an Act of Parliament in their lives, and, if they had, would not have understood it, to do so. The words "of the matters contained therein" in the Westmeath Act related to a very different recital from that which appeared in the present Bill. In the present Bill, if a man was suspected of writing threatening letters, the warrant was to be "conclusive evidence" that he had been reasonably suspected of having done so; but the Westmeath Act contained a very material limitation. It said that—

> "Every such warrant for the purpose of such arrest, commitment, or detention, or justifying the same respectively shall be, and be deemed and taken by all courts, judges, justices, and others, and in every proceeding stated and recited conclusive evidence of the existence of all facts and matters necessary to give and constitute the authority or jurisdiction to make, issue, and execute such warrant, and of the legality of the arrest, commitment, or detention, under or in pursuance of such warrant of the person whom such warrant shall authorise to be arrested, committed, or detained."

The Westmeath Act fully protected the Lord Lieutenant in the exercise of his extraordinary powers; but it did not declare that the matters contained in the warrant were conclusive evidence of the guilt of the persons charged. He would, therefore, move that all the words from the word "and," in line 18, down to the word "warrant," in line 21, both inclusive, be omitted, and the words taken *ipsissima verba* from the Westmeath Act substituted. He did not see how the Government could object to this Amendment, seeing that the Westmeath Act formed a precedent for all Liberal Administrations, and all Liberal Irish Attorneys General to follow. Under that Act the clause merely affirmed the legality of the warrant by which a person should be arrested in Ireland, and the Act also gave the form of the warrant. In the present instance no form of warrant was attached to the Act; but they had an insidious clause that—

> "The Lord Lieutenant, by and with the advice of the Privy Council in Ireland, may, from time to time, make, and when made, revoke and alter an order prescribing the forms of warrants for the purpose of this Act, and any forms so prescribed shall when used be valid in law."

They were to leave everything to the Lord Lieutenant and the right hon. Gentleman the Chief Secretary, and their excellent Adviser the Attorney General for Ireland. It put him very much in mind of the "confidence trick," for the practice of which, he believed, persons were made amenable to the law. An innocent Irishman visiting Bradford, for instance, was met by a man who told him to place implicit trust in him. In the meantime a confederate came in, and the confiding Irishman was intrusted with the care of the confederate's watch. After an hour or two of suspense and anxiety the confederate returned and the watch was restored. The poor Irishman then intrusted his watch to the confederate; but after he had once given it up he never saw it again. The swindle had acquired the name of "the confidence trick," and the same trick was now being tried on by Her Majesty's Government in reference to the liberties of the people of Ireland. The Westmeath Act was said to have worked excellently in the past, and if it was to be the precedent for future legislation it ought to be strictly adhered to. He would, therefore, move in the place of the words of the present Bill the substitution of the words he had read from the Westmeath Act—an Act which was so much praised and relied upon by the right hon. and learned Attorney General for Ireland.

Amendment proposed,

In page 1, line 19, leave out from the word "of" to the word "warrant," in line 21, both words inclusive, in order to add the words "every such warrant for the purpose of such arrest, commitment, or detention, or justifying the same respectively, shall be and be deemed to be and taken by all courts, judges, justices, and others, and in every proceeding stated and recited, conclusive evidence of the existence of all facts and matters necessary to give and constitute the authority or jurisdiction to make, issue, and execute such warrant, and of the legality of the arrest, commitment, or detention, under or in pursuance of such warrant of the person whom such warrant shall authorise to be arrested, committed, or detained."—(*Mr. Callan.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

The ATTORNEY GENERAL for IRELAND (Mr. Law) wished to say, in answer to the hon. Gentleman, that he had never stated that this Bill followed the wording of the Westmeath Act.

Mr. CALLAN said, he understood the right hon. and learned Gentleman to say that the Westmeath Act was followed in reference to the words "all matters therein contained."

The ATTORNEY GENERAL for IRELAND (Mr. Law) had certainly not declared that this Bill followed *ipsissimis verbis* the wording of the Westmeath Act. On the contrary, he had called attention to the fact that the language of the present Bill was very much more condensed. That, however, was not the question for consideration. The question was what was the nature and effect of the clause as it stood. It would not have the slightest effect as to the actual guilt or innocence of the person arrested. Its object was to render the warrant of the Lord Lieutenant legal, and to afford conclusive evidence of its validity for the purposes of the Act. For that purpose, which was the only one intended, the Bill, as it stood, was better adapted than the language of the Westmeath Act, which the hon. Member for Louth (Mr. Callan) proposed to substitute. All that was required for the purposes of the present Bill was that the warrant should be conclusive evidence of the facts therein stated—not for any collateral matter—but merely for the purposes of the Act. The hon. Member sought to make it appear that for some other purpose, such as supporting an indictment or a Parliamentary proceeding the warrant, by the retention of the words objected to, would be made conclusive evidence of the reasonableness of the suspicion, or even, it was urged, would establish absolutely, as a matter of fact, the guilt of the person arrested. The Government had never had any intention of that kind, nor would the words be so construed by any Judge. But, in order to preclude the possibility of their being so construed, and to relieve the minds of hon. Members opposite, the Government had undertaken to insert the words "for the purposes of this Act," which would remove all difficulty. He would now call attention to the words which the hon. Member proposed to substitute—

"Every such warrant for the purpose of such arrest, commitment, or detention, or justifying the same respectively, shall be and be deemed to be and taken by all courts, judges, justices, and others, and in every proceeding stated and recited, conclusive evidence of the existence of all facts."

It was, therefore, to be conclusive evidence in every proceeding not only before the Judges and justices, but all others of all matters therein stated or recited. He certainly failed to see what advantage would be gained by the substitution of these words for those proposed in the Bill, seeing that they would make the warrant evidence of all its statements not only in legal proceedings, but in all others.

Mr. T. P. O'CONNOR agreed partly with the right hon. and learned Gentleman and partly with his hon. Friend the Member for Louth (Mr. Callan), and fancied that a *vid media* could be discovered by which the Committee could have the advantage of both propositions. He quite agreed with the right hon. and learned Attorney General that the words suggested by his hon. Friend would enlarge the operation of the clause, and he had made a representation to his hon. Friend to that effect when he proposed to move the Amendment. But his hon. Friend said very reasonably—"If the Government profess to follow the Westmeath Act they should do so completely."

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): Because the language of the present Bill is much better.

MR. T. P. O'CONNOR remarked that if the language of the present Bill was much better in the eyes of the Government it was much worse in his eyes. It could only be because the clause, as it stood, gave more powers. [The ATTORNEY GENERAL for IRELAND (Mr. Law) dissented.] The right hon. and learned Gentleman shook his head; but he (Mr. O'Connor) was compelled to fall back upon the old argument—that whenever the Government were found going away from a precedent established in a former Act of Coercion, it was only for the purpose of making the measure a still more Coercive Act of legislation. The words of the Westmeath Act were, that—

> "Every such warrant for the purpose of such arrest, commitment, or detention, or justifying the same respectively, shall be and be deemed to be and taken by all courts, judges, justices, and others, and in every proceeding, stated and recited."

So far those words enlarged the clause. They were certainly co-extensive with the words of the Bill, and, if anything, they enlarged them. But the right hon. and learned Gentleman took care not to notice the words which followed—

> "Evidence of the existence of all facts and matters necessary to give and constitute the authority or jurisdiction to make, issue, and execute such warrant, and"——

[The ATTORNEY GENERAL for IRELAND (Mr. Law): Yes; "and."] He (Mr. T. P. O'Connor) knew that if they took the two sections together the jurisdiction would be enlarged instead of diminished; but what he would propose was that, as the right hon. Gentleman the Chief Secretary had consented to insert some few words of limitation, the right hon. Gentleman should make the limitation similar to that contained in the Westmeath Act. The proposal of the right hon. Gentleman to insert words limiting the warrant to the four corners of the Act by no means met the objection which had been urged. It was not sufficient to say that the warrant would be conclusive evidence of the facts therein contained for the purposes of the Act. The contention was that the warrant might be used surreptitiously for other purposes outside the Act. He would, therefore, press upon the right hon. Gentleman the Chief Secretary the desirability of coming to some compromise with the hon. Gentleman who moved the Amendment, by accepting the latter part of the section of the Westmeath Act in place of the words which he himself had suggested.

MR. JUSTIN M'CARTHY had been unable to find out from the clause what it was exactly that they were doing, or the exact legal scope of the Bill, if passed in its present form. For the purpose of enabling them to appreciate the operation of the Bill, he would ask them to look at sub-section 2 to the 2nd clause, which said—

> "The Lord Lieutenant, by and with the advice of the Privy Council in Ireland, may from time to time make, and when made revoke and alter, an order prescribing the forms of warrants for the purposes of this Act, and any forms so prescribed shall when used be valid in law."

Therefore, any new warrant made by the Lord Lieutenant would come within the purposes of the Act and all its provisions. The Lord Lieutenant might so alter the form of his warrant as, in certain cases, not to declare a man reasonably suspected, but positively guilty, of the charge preferred against him. The Lord Lieutenant might not take that step in a serious case such as murder; but he might issue a warrant charging a man with inciting to sedition, and say that the accused was guilty of that offence, and thus the warrant became conclusive evidence of all matters therein contained, and the man would be looked upon as if he had been convicted of the crime. Therefore, as long as this clause remained giving the Lord Lieutenant the power of altering the form of warrant it was most essential that they should, in the most rigid manner, limit the purposes of the Act to insuring the jurisdiction and the legality of the arrest and detention, carefully guarding it against being employed to justify the charge preferred.

DR. COMMINS was sorry that he could not agree with the Attorney General for Ireland as to the construction he put upon the clause proposed by his hon. Friend in substitution of the words contained in the Bill. The Bill, as it now read, made a recital in the warrant evidence for all purposes of the facts so recited. This was not only a matter of legal interpretation, but a matter of common sense, according to the grammatical construction of the words; and he did not see how the Chief Secretary could get rid of it. Probably, no Judge in a Court of Justice would construe the warrant to be evidence of the guilt of the man who had been arrested and detained; but it might be used for a great many purposes except those specified in the Act. And at present they did not know what the form of the warrant was to be. It was somewhat singular that the precedent of the Westmeath Act had not been followed, seeing that regular forms of warrant were therein prescribed. But this Bill departed from almost universal legislative precedent, and prescribed no form of warrant. It was an unexampled course in an unexampled Bill, and it was an innovation even greater than any other contained in the Bill. There was to be an unprescribed, unknown form of warrant; and yet it was to be conclusive evidence against the accused, who was to be committed to prison and detained under it. And these warrants might be used, whether the right hon. Gentleman meant it or not, for sinister objects, unless there were words inserted in the Act which precluded any such use being made of them. For instance, take the illustration given by the hon. and learned Solicitor General for Ireland last night. Suppose an arson was committed, and a particular person was arrested under the Lord Lieutenant's warrant on suspicion of having been personally concerned in it. The warrant would recite that it was a prescribed district; and also the fact that arson had been committed within that district, and that a person had been committed upon reasonable suspicion of being guilty of committing it. If there were not some controlling words introduced that would prevent the words reciting that arson had been committed, it would be held as being conclusive proof of arson having been committed in proceedings such as applications for compensation to Grand Juries founded on such supposed arson. He was quite sure that the Government did not wish to do anything but to carry out the object of the Act in a fair and proper manner; and he was far from supposing that they would wish the Act put in the hands of persons who might use it for sinister purposes. He, therefore, urged them to introduce some words such as were proposed into the Bill; and he would be quite willing, notwithstanding that the right hon. and learned Attorney General for Ireland thought those words would press more against the people than the Act itself, to take the blame of the suggestion before the people of Ireland. Without some controlling words he feared that the Act would be turned to purposes which the House could not foresee and had not even contemplated.

Mr. LEAMY, referring to the Westmeath Act, argued that that Act at least stated what it was for which the warrant was to be deemed conclusive evidence. The present Act, however, left doubt as to the purpose, merely stating— "Every such warrant shall be conclusive evidence of all matters therein contained." Now, he only asked that the purposes to which the matters to be contained in the warrants issued under the proposed Act should be expressly set forth, as was done in the case of the Westmeath Act.

Mr. METGE believed the danger very great, pointing out, as what might happen, that the Act was more especially connected with the crime of inciting to violence.

The CHAIRMAN: The hon. Gentleman cannot go back to the discussion of words that have been already dealt with by the Committee.

Mr. METGE said, he merely wished to show that it was necessary to introduce some qualifying words into that clause, because, as it stood, the Act would give very wide latitude in the application of it. The magistrates in Ireland, however, took a different view from that; and he found that, a few days ago, the resident magistrate at Longford read a speech, delivered at a Land League meeting, of which speech he (Mr. Metge) would read one paragraph——

The CHAIRMAN: The hon. Member must confine himself strictly to the Question, which is the introduction of these words from the Westmeath Act.

Mr. METGE repeated, that qualifying words ought to be introduced; and, referring again to the instance he had mentioned, said Mr. Lord, the resident magistrate at Longford, had said he would allow no man to go through the country——

The CHAIRMAN: The Question before the Committee is whether these words shall be introduced into the clause, and has nothing to do with anything decided by magistrates in Ireland.

Mr. METGE said, he was trying to show what seemed to him a good reason why qualifying words should be introduced into that part of the Bill, and was referring to something that had actually occurred.

The CHAIRMAN: The hon. Gentleman must confine himself strictly to the point before the Committee.

Sir JOSEPH M'KENNA said, he understood that the Solicitor General for Ireland had agreed that certain words should be introduced to the effect suggested on the third reading.

Mr. W. E. FORSTER: The hon. Gentleman was not in the House at the time; but I have stated already that, upon another stage of the Bill, I will introduce words which will carry out the object proposed, and will insert after the words "conclusive evidence" the words "for the purpose of the Act."

Mr. FINIGAN considered that if the Government introduced those words into the clause they would meet all that he and his hon. Friends were asking for, which was simply some limitation.

Mr. BRADLAUGH said, the effect of the Amendment was to make the Bill still more coercive.

Amendment, by leave, *withdrawn.*

Mr. ERRINGTON intimated that as he did not see there was any chance of an Amendment he had proposed to put being accepted, he would not put it.

Mr. DALY said, the object of the Amendment he proposed to move was to insure that the punishment applied to persons who were suspected should not extend to their families. He observed that the Government made no pretension to infallibility as to a power of reasonable suspicion; and people who were perfectly innocent of the suspected crime might be immured, and so taken away from their business. There might be people who had innocently joined the Land League, with the full idea that it was necessary for the prosperity of the country; and yet they might be brought under the operation of the new law. In that way, as an instance, a small shopkeeper in the country might be immured without any chance of proving his innocence, and he would have to leave behind him a small business, which his wife might not be able to conduct. There should be reasonable facilities given to persons so detained to give instructions for the carrying on of their business; and he could not see what fair or reasonable objection there could be to that being done. It would be impossible, no matter what care or conscientiousness on the part of the Government, to avoid committing some injustice; and what he proposed was that such facilities should be given, "so far as prison arrangements would permit." All that he asked was that an imprisoned man should be allowed to carry on such communications as would prevent his family becoming paupers during the operation of the Bill. The last part of the Amendment proposed that such a man should be visited by such persons and for such time as might be necessary for the purpose. The Government were imposing a deprivation of Constitutional liberty, and an oppressive measure upon the Irish people; and he put it to them whether they proposed to punish not only those who had committed a breach of the law, but to extend the punishment to their families. He begged to move the Amendment of which he had given Notice.

Amendment proposed,

In page 1, line 24, at end of sub-section (2), add "So far as prison arrangements will permit facilities shall be given to such person to carry on their respective businesses, and to communicate with and be visited by such persons and for such time as may be necessary for the purpose."—(*Mr. Daly.*)

Question proposed, "That those words be there added."

Mr. W. E. FORSTER: I think the hon. Member will be satisfied with the answer I shall give him. I agree that we do not introduce the Act for the purpose of punishment; but for the purpose of prevention. We have inserted in the Bill a provision by which all persons accused of crime will come under the rules of the present law with regard to the persons awaiting trial. The 17th of the rules provides that—

"So far as prison arrangements may admit, facilities shall be given to such prisoners to work and follow their respective trades and employments, and all earnings of such prisoner, after payment thereout of such sum as the Commissioners may determine on account of the cost of his maintenance in the prison, or on account of the use of implements lent to him, shall belong to such prisoner."

And then, with regard to visiting, it is provided that—

> "Each such prisoner shall be permitted to be visited by one person, or (if circumstances permit) by two persons at the same time, for a quarter of an hour on any week-day, during such hours as may from time to time be appointed."

Also—

> "The Visiting Committee may, by permission in any special case for special reasons, prolong the period of the visit allowed to any such prisoner, or allow him to be visited by more than two persons at the same time."

There is another section which I will read, although it does not exactly carry out this object.

> "Every endeavour shall be made to provide that such prisoners shall not, when being visited, be exposed to the view of the friends of other prisoners; and to prevent the friends of one prisoner from coming in contact with the friends of another while in the prison."

I really believe that we have secured that there shall be this opportunity given to prisoners by accepting the rules of the Prisons Board.

Mr. DALY observed that, under the present prison arrangements, substantially what he sought was provided. Suppose that under the present arrangement a man was imprisoned, and his wife called to see him, would any conversation which she held with him be within the hearing of the turnkey? Suppose, for instance, she told him his business was going into bankruptcy, and asked him to ask his relatives to give him some assistance, would she be obliged to make such a revelation of their circumstances in the hearing of the turnkey?

Mr. W. E. FORSTER: She is not so obliged.

Mr. DALY: Then I accept that.

Amendment, by leave, *withdrawn.*

Mr. LEAHY, in rising to move the Amendment which stood in his name, said, that if they only looked at the treatment which the hon. Member for Limerick (Mr. O'Sullivan) had received in 1866, they would see that they should be very cautious as to how prisoners arrested under the Act should be dealt with. A further instance of the way in which prisoners were treated in 1866 was afforded by a Report of Dr. M'Donnell, Superintendent of the Mountjoy Prison. He trusted that the Government would see that the men arrested would be treated properly, and that, looking to the severe weather that had recently prevailed, suitable accommodation would be provided for them.

Amendment proposed,

In page 1, line 24, at end of sub-section (2), add "Each person detained under this Act shall be permitted to occupy a suitable room, specially fitted for such persons, with a boarded floor, and suitably warmed in winter to a temperature of not less than sixty degrees Fahrenheit."—(*Mr. Leahy.*)

Question proposed, "That those words be there added."

Mr. MITCHELL HENRY wished to remind the Government, before they committed themselves to refusing to accept the Amendment, of what took place during 1871-4. He did not believe that in any country in the world, not excluding Italy during the time when the Prime Minister wrote of the cruelties that were practised in that country, greater inhumanities were practised on prisoners than under the Westmeath Act. He presumed that it would be admitted that it was possible that persons arrested under the Act might be innocent, and there could not be a greater hardship or cruelty than to keep a man in one of the cells administered by the Government Board. By the present Act, passed two years ago, prisoners were deprived of the influence that had been exerted upon the discipline by the visits of persons from outside—magistrates and Prison Committees. There was still a pretence of visits by magistrates to prisons; but they had been deprived of all real power as to the treatment of the prisoners under their charge. They had now small State prisons in various parts of the country, the rules in which were administered on most mechanical principles. He did not know a more dismal thing than for a man to be put into a cell made of bricks, and only half warmed by pipes in the corridors; and he stated that recently, in the county of Galway, the number of prisoners was so large that the magistrates were compelled to let them out on their own bail, because it was impossible to heat the cells. He hoped, therefore, that if the Amendment was not accepted, the Government would not place the prisoners under the ordinary rule applicable to untried prisoners. If the Government would say that they would make special rules as to the treatment of those persons, and especially would take care that they should not be placed in rooms with stone floors, he should be content; because he believed that the Chief Secretary for Ireland and the Lord Lieutenant and the Treasury Bench would not sanction the cruelties that had existed under similar Acts in the past.

MR. W. E. FORSTER: I hardly think that the hon. Member who has just spoken is referring to the Westmeath Act. I think the charges of hard treatment arose out of previous Acts, and referred to the prisoners arrested in 1866. I should very much like my hon. Friend to look into the grounds of his statement, for it is quite new to me that there was such harsh treatment under the Westmeath Act. I have carefully looked at the special rules under the Westmeath Act, and compared them with the rules for untried prisoners. I maintain that there was no complaint made of the treatment under the Westmeath Act.

MR. MITCHELL HENRY: The rules were all right. It was the administration of the rules that I spoke of. Cases of cruelty were repeatedly recorded.

MR. W. E. FORSTER: I am surprised to hear it; and I think the hon. Member is referring to 1866 and 1867. There were, undoubtedly, charges made at that time, and I do not suppose that enough precaution was taken as to the treatment of prisoners. In fact, at that time, there was not enough precaution for untried prisoners. The hon. Member says he does not complain of the rules. I have gone through the Westmeath rules, and I think the rules with regard to untried prisoners are more favourable to the prisoners than the Westmeath rules.

MR. MITCHELL HENRY: I did not say I was satisfied with the Westmeath rules.

MR. W. E. FORSTER: The hon. Member said it was the administration of the rules that he complained of. The 10th rule says the Visiting Committee shall, on the application of any such prisoner, cause special provision to be made for a suitable room or cell fitted with a suitable bed and bedding, and other articles in addition to and different from those furnished in ordinary cells. I do not for a moment suppose that we could ever make a prison a comfortable place; it is not in the nature of things that it should be so. I really think that it would be very difficult to make rules which, on the whole, would be more likely to give every kind of convenience, which is compatible with keeping people safe, than these rules; and I can hardly accept the Amendment, which, I think, goes into too many details. As to securing that the temperature shall be not less than 60 degrees Fahrenheit, it is very difficult to secure that temperature in our own houses.

MR. M'COAN asked the right hon. Gentleman where copies of the Westmeath rules could be obtained, and the rules for untried prisoners?

MR. T. P. O'CONNOR asked the Chief Secretary to consent to the postponement of that part of the Amendment for a day, in order that they might have an opportunity of comparing the rules.

MR. R. POWER said, that one of the points of the Irish Members was, that innocent men had been treated as convicts. Under the Act of 1866, men were thrown into prison without any charge, kept there—some for 18 months—and treated not as untried prisoners, but as convicts. Another point was, the cruelty of solitary confinement; and if the right hon. Gentleman would give some assurance——

THE CHAIRMAN: That Question does not come within the Amendment.

MR. R. POWER said, he only called the attention of the right hon. Gentleman to that point.

MR. W. E. FORSTER: I should be very sorry to subject these men to any hardship. It is provided that the Visiting Committee, on the application of any prisoner, may direct that he shall be treated as an untried prisoner if the arrangements of the prison will permit it. I have already stated that such prisoners may receive visits from one person, or, if circumstances allow it, two persons for a quarter of an hour on any week-day; and that special permission may be given for longer visits. Then there is another provision, by which the prisoner may be permitted to be supplied, at his own expense, with books and newspapers, and any other means of occupation which are not, in the opinion of the Visiting Committee, or of the Governor, of an objectionable kind. He is also allowed to see his legal adviser, his solicitor, or his solicitor's clerk, on any week-day, at any reasonable hour.

Mr. R. POWER asked where copies of the rules could be obtained?

Mr. W. E. FORSTER: I think they are to be got in the Library; but if not, I will put them on the Table of the House.

Sir JOSEPH M'KENNA thought there would be no objection to the Amendment being withdrawn, after the assurance of the Chief Secretary of his intention to see that persons arrested should not be subjected to anything like the privations and inconvenience which had hitherto been the rule rather than the exception. As to the question of temperature, it might be arranged that the temperature should not cool down to below 60 degrees; and, he thought there would be little difficulty in securing that. He, also, thought that boarded floors were absolutely necessary. His object was to ensure that the Act should be as indulgently administered as possible. The hon. Member for Galway had said it was possible that innocent men would be arrested. The Act would be fairly and scrupulously administered if half of the persons arrested were guilty; but, in order to arrest one-half of the guilty persons, three times the number would, he believed, have to be taken up.

The CHAIRMAN: The hon. Member is going beyond the terms of the Amendment.

Sir JOSEPH M'KENNA believed that it was important that the proposed amelioration should be introduced.

Mr. METGE suggested that the prisoners ought to be allowed to smoke.

The CHAIRMAN: There is nothing about smoking in this Amendment. The hon. Member must keep to the Amendment.

Mr. FINIGAN asked the Government to postpone the consideration of the Motion until to-morrow, because by that time he hoped the Irish Members and other Members of the Committee would be able to see the prison rules, which were at present not known to them. He would remind the Committee of statements made by several Irish Judges of the working of the previous Acts, so far as the treatment of the prisoners was concerned. Mr. Justice Lawson had expressed the opinion that untried prisoners ought not to be subjected to any undue or improper treatment or stringency which was not absolutely necessary for their safe custody. He, therefore, thought that the Motion ought to be postponed until the rules had been laid on the Table of the House, in order that they might judge how far those rules were consistent with their ideas of justice.

The CHAIRMAN: Before the discusion goes further, I must point out that it is not within the power of the Committee to postpone part of the clause. If the Committee desire to postpone it, that can only be done on a Motion to report Progress.

Mr. GIBSON presumed that the rules referred to were the rules of the Prisons Board, adopted under the Act of 1877, in relation to the treatment of unconvicted prisoners. Those rules must have been passed shortly after the Act, and, under Section 57 of the Act, must have been laid on the Table of the House at least two years ago. Therefore, abundant copies of the rules must be in the Library.

Mr. RYLANDS said, he held in his hand a copy of those rules dated 1878. He should oppose the postponement of the Amendment, because he thought that those rules were very satisfactory; and that having had those rules on the Table of the House for two years, it was unreasonable that, because some hon. Members did not look through them, the Amendment should be postponed.

Mr. T. D. SULLIVAN thought there might be some difficulty in regard to boarded floors in prisons where the floors were mostly made of stone or some composition; but he would suggest that in those cases the floors should be covered with matting. That would not be by any means a luxury; it was a necessity of health. An innocent person might be arrested, and delicate persons might be arrested, and it was not too much to ask that some humane and reasonable consideration should be given to them. He would like to know, in case it should be proved that during the detention of any man who was perfectly innocent he had suffered in health or circumstances by his unjust detention, what compensation would be made to him? To let him out would be no compensation in the case of an innocent man, whose health had been broken and whose family had been beggared by his imprisonment.

THE CHAIRMAN: The hon. Member is not talking to the Amendment, but to one of a different character.

MR. T. D. SULLIVAN said, he was endeavouring to show why it was reasonable that some provision should be made for the comfort of arrested persons, many of whom might be, and would be, innocent, and many of whom might be delicate. He wished to put the matter to the Chief Secretary.

THE CHAIRMAN: The remarks of the hon. Gentleman are not relevant to the Question.

MR. T. P. O'CONNOR said, the proposal contained in the Amendment was that there should be suitable rooms with boarded floors. He might say, in reference to this matter, that, only yesterday, or the day before, he was speaking to a gentleman who had recently served three months as a first-class misdemeanant, and his statement was that, according to his experience, all the regulations in force for the special comfort of prisoners of this class were rendered abortive by two circumstances—first, the construction of the prison cells; and next, the interpretation put upon the prison rules formulated by the Prisons Board. In his (Mr. O'Connor's) opinion, the Amendment raised what was the most important question next to that of the liberties of the people; and at a later stage of the Committee he should have an opportunity of dealing with general principles affecting this question. Surely, the right hon. Gentleman the Chief Secretary was quite as much interested as hon. Members on that side of the House were in seeing that those persons who would be arrested under this Bill were properly treated in the prisons where they would be detained. He asked the right hon. Gentleman whether this was not so? [Mr. W. E. FORSTER: Yes.] Very well; then the object of the right hon. Gentleman and of hon. Members on that (the Opposition) side of the House was precisely the same, and there was no reason why they should not discuss this question with perfect toleration on both sides. With regard to the provision of suitable rooms, the gentleman he had referred to had informed him that he was supposed, as a first-class misdemeanant, to have a suitable room; but, he added, by a suitable room it was meant that he had a cell, and the indulgence accorded to him amounted to this—that during certain hours of the day he was allowed to have the cell-door open. Furthermore, that gentleman had stated that even the concession of two rooms did not mean two ordinary rooms, boarded and properly heated, but two ordinary cells communicating with one another. He would put it to the right hon. Gentleman, whether such a state of things could be, in any sense, the provision of suitable rooms? And with regard to the question of boarded floors, he wished to ask, would the Chief Secretary undertake to say that in every prison in Ireland there were rooms with boarded floors, capable of accommodating all the prisoners who might be sent to gaol under this Bill? He challenged the right hon. Gentleman to say that this was so, as a matter of fact. Would the right hon. Gentleman answer the statement made by the hon. Member for Galway (Mr. Mitchell Henry), who had informed the Committee that the prisoners had actually to be let out on bail from the prison in the town which he (Mr. O'Connor) represented, and which was the capital of the county of Galway, because the gaol did not contain the accommodation which the prison authorities were obliged, if they paid any regard to the proper interpretation of the prison rules, to provide for those who might be confined there. But what the prison authorities had done in the case of Galway, could not be done under this Bill. There they had admitted the prisoners to bail because of the imperfect accommodation afforded by the gaol; but this Bill contained no authority for letting a prisoner out on bail. If a man were arrested under its provisions, he must be kept in gaol till he ceased to be regarded as dangerous, whether the accommodation was good or bad, whether there were suitable rooms with boarded floors, or common cells with stone pavements. Another proposal contained in the Amendment was that the rooms should be warmed in winter to a temperature of at least 60 degrees Fahrenheit. The right hon. Gentleman the Chief Secretary had said it was very hard for hon. Members to maintain 60 degrees Fahrenheit in their own houses. He wished the right hon. Gentleman would deal with the question in something better than a mere spirit of levity. ["Oh!"] Hon. Members might say "Oh!" but he held that it was nothing less than a spirit of levity for the right hon. Gentleman to get up, when the liberties and even the lives of those who were to be put in prison were at stake, and to say, "We cannot get 60 degrees Fahrenheit in our own houses." He trusted it would be impossible to institute any comparison between a prison cell and the very worst house that any hon. Member of that Assembly could occupy. If the right hon. Gentleman knew anything about prison life—of course, he meant through other people—he must be aware that want of warmth was far greater torture than want of food. He (Mr. O'Connor) had several friends who had had personal experience of prison life; and one of these, a gentleman of the highest honour and respectability, who had suffered incarceration as a political prisoner, had assured him that all through the winter he suffered most intensely from cold. That gentleman was of slight, spare habit; and having only a small amount of food, it was probable that he required a larger quantity of clothing and greater warmth than would be needed by a man of more robust frame. That gentleman—a man of as high honour as anyone in that House—had assured him that all through the winter he never ceased to shiver from the excessive cold. He held in his hand the report made by a surgeon of Mountjoy Prison in Dublin, a prison in which many persons would doubtless be confined under the provisions of this Bill before many weeks were over; and that gentleman described the results of the treatment extended to the prisoners there. He stated that—

> "On the 7th of January, 1865, on visiting the punishment cells, he found a prisoner in one of them looking very miserable. He was stooping forward, with his hands thrust between his legs. His extremities were cold, his cheeks sunken, his teeth chattered, and he shivered."

[*Laughter.*] Hon. Gentlemen behind the Ministerial Bench seemed to find something to laugh at in this. It must be an extremely funny thing in the opinion of those hon. Gentlemen; but in his (Mr. O'Connor's) opinion, if those hon. Gentlemen could not discuss the sufferings of their fellow-creatures in prison without laughing at them, the sooner they left that House the better. The description given by the gentleman whose report he had been reading went on to say the prisoner complained of being very cold; that he had no bed and bedding, except the single rug which was allowed him during the night; that he had lain on the floor with no other covering, and was cold to his very bones. These were the atrocities to which prisoners were subjected; and he put it to the right hon. Gentleman, whether he was wrong in asking that they should not be extended to prisoners detained under this Bill? An hon. Member spoke of the Conservatives. Did the hon. Gentleman mean to say that the Conservative Predecessors of the right hon. Gentleman were not fully as generous and humane as the present Government? It would be a most criminally unjust and atrocious charge to say that the hon. Members of the late Government knew of the cruelties that had been thus perpetrated. This was not a question of men, but of actions—not of heads of a Party, but of their subordinates—and it was on this basis that it must be discussed. By a reference to the Registrar General's Return, it would be seen that at the beginning of January, 1865, the cold was some nights intense, being several degrees below freezing-point; and such was the position of the prisoner at whom hon. Members behind the Treasury Bench had laughed when he had brought the matter forward. Well, he asked the Committee was there anything unreasonable in demanding that during the winter the room should be warmed to a temperature of at least 60 degrees Fahrenheit? What was it the House wanted? Did it want to punish these people? This was not the object in view. All that was wanted was that they should be prevented from committing crime. So long as they had a man within the four walls of a prison that was all, so far as the prevention of crime was concerned, that could be required. He appealed to the right hon. Gentleman the Chief Secretary in no controversial spirit on this point. He did not believe that the right hon. Gentleman was not a humane man. He should be very sorry to accuse the right hon. Gentleman of inhumanity; but he must add that he should be bound to accuse him of inhumanity if he did not pay attention to the representations now made to him, and see that under his administration men should not, as under previous administrations, be done to death. [" Question!"] Hon. Members called " Question!" He assured those hon. Gentlemen that he was not to be put down by cries of " Question!" when he was speaking of a matter affecting the health, and even the lives, of a number of unfortunate men who might be sent to prison under this Bill. Was it not the duty of the right hon. Gentleman to guard himself by some such regulations as were proposed in this Amendment against atrocities which, although they might be perpetrated in complete ignorance on his part, would, nevertheless, be perpetrated under his responsibility. As he should have the opportunity of speaking on another Amendment, he did not propose to say anything more at the present moment, except to suggest to the Committee that this was a serious question, and that it would not only be a graceful, but also a humane and proper act, if the right hon. Gentleman would consent to adjourn at that juncture the further discussion of this part of the clause. They had now gone through more than half of the day, and if the right hon. Gentleman would break off at once, and come down to the House to-morrow with a code of regulations dealing with this part of the subject in a manner that would be satisfactory to the Committee, a great advantage would be gained. For his own part, he (Mr. O'Connor) would not be satisfied until he saw some further code of regulations——

THE CHAIRMAN: The hon. Member is not in Order. He is speaking to an Amendment he has given Notice of his intention to move.

MR. T. P. O'CONNOR begged pardon, as he believed he was transgressing in the manner pointed out. What he wished to suggest to the right hon. Gentleman was that he should postpone the discussion on this Amendment for the present; and he could assure the Chief Secretary, on the part of his Friends and himself, that he would not be losing a moment's time should the right hon. Gentleman propose rules in accordance with the proposal before the Committee. Such a course would not have the effect of delaying the progress of the Bill for an instant; and he must add that his hon. Friends and himself were determined to have this subject fully discussed, so that atrocities, which rivalled those of the darkest days of English and Irish history, might not be committed in future.

MR. LEAMY said, the Amendment asked for the provision of suitable rooms, and the right hon. Gentleman the Chief Secretary would not accept it, because he said the persons to be arrested under the Bill must be treated as ordinary prisoners awaiting trial were treated now. Now, he (Mr. Leamy) had looked through the rules for the treatment of prisoners awaiting their trial, and he asked the right hon. Gentleman whether that was the treatment he meant? [MR. W. E. FORSTER: Yes.] That being so, he wished to know what the right hon. Gentleman had to say to this? One of the rules provided that a prisoner might occupy, on payment of a small sum fixed by the Prisons Board, a suitable room or cell. Now, some of the prisoners to be arrested might, and probably would, be men who were not earning more than 9*s.* or 10*s.* a week, and they could hardly be expected to pay for this accommodation, for while they were in gaol their families would have to go to the workhouse, and it would be impossible for such persons to take advantage of specially prepared cells. This being so, he felt that he had very strong ground for supporting the Amendment; because, even if there were objections to that part of the Amendment which provided for a boarded floor, there could be no objection to providing suitable cells. The right hon. Gentleman might say that prisoners could have such rooms by paying for them; but surely it was intolerable that a man who was possibly innocent should be compelled to pay for suitable accommodation while in gaol. Where, he asked were the prisoners to get the money from? The right hon. Gentleman the Chief Secretary had not stated whether the Visiting Committee could dispense with these payments, and if they had no such power at present, there was nothing in this Bill directing that they should exercise it. Under these circumstances, he would ask the right hon. Gentleman whether he was willing to make any concessions at all to hon. Gentlemen on that (the Opposition) side of the House? When the Bill had been read a second time, they certainly thought they would have a reasonable chance of passing suitable Amendments in Committee; and he asked the right hon. Gentleman, was it not reasonable that, when it was proposed to take a man from his home on suspicion, and the possibility of his being innocent was recognized, he should have decent accommodation during the period of his detention? He hoped the right hon. Gentleman would see his way to giving his assent to the Amendment.

Mr. DALY said, he thought it quite reasonable to ask that the Amendment relating to the treatment of prisoners should be postponed. The right hon. and learned Gentleman the late Attorney General for Ireland had referred to the Prisons Act, of which Sections 13 and 57 related to this question. He (Mr. Daly) had looked at both those clauses, and had found that the 13th gave power to make rules, while Section 57 set forth that those rules must be subject to certain conditions. He had been to the Library and looked at the rules framed under that Act and laid on the Table of the House two or three years ago; and he put it to Her Majesty's Government that there would be a great saving of time if they would concede that hon. Members on that (the Opposition) side of the House had a right to be reasonably satisfied that the prisoners to be detained in custody under this Bill should be benevolently treated. One important point was as to who were the persons who had to see how these prison rules were carried out? Were they to be the Visiting Justices, or the Local Prison Board? It was important that the House should have a satisfactory assurance that it should be compulsory upon those who held the position of Visiting Justices, or whatever else they might be called, that they should be compelled to order a certain state of things which could not be prescribed by the rules unless they were directed by that House. If he were satisfied that under the prison rules reasonable precautions would be taken for the health and comfort of those who would be incarcerated, he should not be one of those who would take up the time of the Committee in arguing for the adoption of Amendments placed on the Paper with regard to the treatment of prisoners. He appealed to the right hon. Gentleman either at once to put in the hands of hon. Members rules that might be read side by side with the Amendments, or to postpone the Amendments bearing on this question until they could have the opportunity of examining the rules. He put it to the right hon. Gentleman on two grounds—first, on the ground of humanity; and, secondly, on the ground of saving time. There was no Irish Representative on that side of the House who would not——

The CHAIRMAN: The hon. Member is not keeping to the Amendment, but speaking on other questions altogether wide of it.

Mr. DALY said, he desired to confine himself to the Question before the Committee, and he wished to refer to that part of the Amendment providing that the cells should be heated to 60 degrees Fahrenheit; but if he was not allowed to urge the wording of the rules on this matter as a reason for the postponement of the argument, he must submit to the direction of the Chairman.

The CHAIRMAN: The hon. Member could not have been in the House when this point was first submitted to the right hon. Gentleman the Chief Secretary, and when I explained that it was impossible to postpone the consideration of these Amendments unless Progress was reported.

Mr. DALY said, he was not aware of that ruling on the part of the Chairman. Keeping to the Amendment before the Committee, he thought it commended itself to the humanity of the Committee. Many of the prisoners might suffer from disease and bronchial affections. It might be said, in reply to this, that the doctors would order these persons to be sent to the Infirmary; but he asked the Committee whether they had heard the statement of the hon. Member for Galway (Mr. Mitchell Henry), from which they must be painfully cognizant of the fact that prisoners were sometimes subjected to great hardships, and that the Government would be morally guilty if they neglected to take precautions for the health and comfort of those who would be arrested under the Act. He held that it was not an unreasonable request to make to the Government that persons immured under the Bill should occupy suitable rooms with boarded floors, and heated in winter to a temperature of not less than 60 degrees Fahrenheit. What practical objection, he asked, could be made to this? Her Majesty's Government had the selection of the prisons, which were their own, and would not necessarily be obliged to lodge a man in the prison of the district in which he might be arrested. [Mr. W. E. Forster: Hear, hear!] The Chief Secretary said "Hear, hear!" to this. Then, why did he not consent to the Amendment, or offer some really practical objection to it, or propose an Amendment of his own? Reference had been made by the hon. and learned Member for Meath to the concrete floors of prison cells. He (Mr. Daly) believed that the use of cocoa-nut matting on those floors would be of great utility. Granting that the power of detention would be deterrent from crime, or might be applied as a punishment for past crime, he did not see how, to secure these objects, it would be necessary to send a man out of gaol an invalid for life, or else feet-foremost in a coffin. He should like to know what practical objection there was to the Amendment? If a man were arrested in Cork and the prison were found not to afford the accommodation necessary for his health, he could be transferred to Mountjoy or some other gaol in the country; and he did not think that he and other hon. Members were unnecessarily taking up the time of the House in thus pleading the cause of humanity.

Mr. HERMON said, the question of the treatment of untried prisoners was not an unimportant one, and the more he looked at it the more convinced he was that the Bill must ultimately come to the stage called the Report. He believed there had been an endeavour to avoid that stage; but he thought they were losing a deal of time at present that might be more profitably devoted to other parts of the Bill, and that might be so used if it were only understood that hon. Members from Ireland would have an opportunity on the Report of raising, and possibly justly raising, these questions as to the treatment of prisoners. It might easily happen that, through mistaken identity or some other cause, innocent men might be arrested and detained; and he thought it unreasonable that the whole time of the Committee should be taken up on these matters when the Government, by agreeing to the stage of Report, might get on with the rest of the Bill without sacrificing any principle as to what ought to be done in the treatment of untried prisoners.

Lord RANDOLPH CHURCHILL said, the Committee had been confining itself too much to arrests in prescribed districts, and had lost sight of the first part of the Bill, which was a suspension of the Habeas Corpus Act all over Ireland on account of treason or treasonable practices. It was clear that the Government would arrest a great many persons on these grounds, for whoever they thought they had reason to suspect of treason or treasonable practices they would apprehend. When the Habeas Corpus Act was suspended in 1866-7, according to a high authority, 700 persons were arrested. Well, it would be obviously unjust, and of a rigour unbecoming in any Government, particularly in a Liberal Government, for them to treat prisoners suspected of these offences in exactly the same manner as prisoners awaiting trial. These persons would not be waiting their trial at all; they would never be tried. A great many of them would, no doubt, be reasonably suspected; but they would belong altogether to a class of life which could not be properly dealt with.

The CHAIRMAN: The Amendment before the Committee is with regard to a—

> "Suitable room especially fitted for such persons, with a boarded floor, and suitably warmed in winter to a temperature of not less than 60 degrees Fahrenheit."

All general observations outside that Amendment are irrelevant.

Lord RANDOLPH CHURCHILL said, what he had been saying was that persons arrested under the first part of the Bill, whom they had reason to believe would be very numerous, or the Government would not otherwise have asked for a suspension of the Habeas Corpus Act, had a right to be treated differently to prisoners awaiting trial. No one would contradict that; and he would, therefore, suggest that before the Report the Chief Secretary should give the matter his careful consideration, for he did not think that amid the innumerable matters that had attracted the right hon. Gentleman's attention this subject had been fairly weighed. No doubt, hon. Members would be satisfied if the right hon. Gentleman would investigate the matter, and arrange that the prison rules should not apply in the case of persons not awaiting their trial, but detained on suspicion.

Colonel BARNE said, he would venture, on the other hand, to remind the Chief Secretary that if he made the cells too comfortable for the prisoners, he would be encouraging people to the commission of treasonable acts. They would have every ruffian in Ireland endeavouring to get suspected of high treason in order to get into these cells, if they were made as comfortable as was proposed. The object of putting a man in prison was to punish him, and deter others from the commission of crime; and if the Committee was not careful it would defeat that object.

Dr. CAMERON considered that the treatment of prisoners arrested under the Act was the most important question that could come before the Committee, and he did not wonder at the Irish Members desiring to be heard on the subject. Many hon. Members in the House had seen a Paper giving a correspondence with Dr. Macdonald as to the arrests under the last Act of this sort; but the hon. and gallant Member who had just sat down could not have seen it, otherwise he would not have adopted such a heartless tone. Feeling, as he did, on this particular matter, a few days ago he had made it his business to acquaint himself with the facts. He had studied the prison rules, and he had found that those for untried prisoners, under which category prisoners arrested under the Act would be brought, were very humane, and, in fact, went a long way in the direction that was desired. But, as had been pointed out by hon. Gentlemen opposite, these rules enabled untried prisoners to supply themselves with a few little luxuries at their own expense; and it seemed to him that while the country was justified in shutting up characters held to be dangerous without bringing them to trial, it was not justified in inflicting upon them any unnecessary punishment, and in refusing to them privileges which were allowed to untried prisoners. He could understand the Chief Secretary resisting Amendments, because, as they all knew, any Amendment would involve another stage—the Report; but let the right hon. Gentleman the Chief Secretary, or the Home Secretary, pledge himself to introduce some amendment in the prison rules to enable the authorities to supply these little luxuries to poor people arrested under the Act who were unable to purchase them for themselves. There was no question of safe custody or dangerous communication with the outside world in this. They gave the man with money certain luxuries; and he could not see why they should not, to a moderate extent, give these luxuries to the man who, whilst he was in custody, could not pay for them. It would be good policy to do so, and surely this nation would not grudge a few extra pounds in order to avoid the infliction of all unnecessary hardship.

Mr. W. E. FORSTER said, the question was likely to become one of Order, as he had already spoken on the subject; but, probably, there were some hon. Members present now who were not in the House when he made his explanation before, and he felt sure he could remove a great deal of the objection which seemed to exist in some of their minds as to this part of the Bill. He could not accept the Amendment, for it went too much into detail, and would bind the Committee to make a special rule, which it was hardly their work to do. He should be very glad, when they came to the next Amendment, to fully explain—and he hoped it would be to a larger House—the mode in which they intended to treat these prisoners.

Mr. O'SULLIVAN hoped the Committee would not dissent from this very reasonable Amendment, for, if it did, he should be driven to conclude that the Committee would not accept any Amendment, however just. In the interest of humanity alone, he would ask them to give this proposal their favourable consideration. Perhaps the Committee were not aware that in 19 cases out of 20 the only accommodation prisoners under this Act would have—particularly in county prisons—would be a cell 7 feet wide by about 13 or 14 feet long, and that they would have to remain in it for 22½ hours out of the 24. As for the temperature in winter, the cold in the cells was more intense than in the outside air, owing to the draught that was sent through for ventilation. There was a 4-inch pipe running across the cell, and he had known prisoners to sit on it for hours with their hands against it for warmth. In 1867, several men whom he knew were sent to these prisons, and after being incarcerated eight or nine months they came out with rheumatic pains that never left them for the rest of their lives. There was some satisfactory attempt made to warm the cells in the Mountjoy Prison, but in the county gaols there was little or no attempt, the pipes, with partly heated water in them, being of no use whatever. All that was asked for, for the people who would be arrested under the Bill, was a suitable room warmed at a proper temperature. Amongst the other hardships that persons had had to suffer in these county prisons was that of not being allowed to speak to each other——

The CHAIRMAN: I must remind the hon. Member that that part of the Question is not referred to in the Amendment.

Mr. O'SULLIVAN said, he would not go further into it. The Chief Secretary said that the Amendment went too much into detail. He could not see how it could be going too much into detail to ask the Government to take some interest in the treatment of the unfortunate prisoners, and to see that they had proper cells, that the cells were properly heated, and that the people would not be left to get rheumatic pains that would stick to them for the rest of their lives.

Mr. CAINE was satisfied that there was a strong feeling on this subject amongst the English constituencies. He did not forget that his Friend the hon. Member for Mayo, in 1866 or 1867, was arrested under a Coercion Bill, in Dublin, by two policemen; that he was not told why he was arrested; that his dietary in gaol consisted of——

The CHAIRMAN: I must remind the hon. Gentleman that the question of dietary is not included in the Amendment.

Mr. CAINE did not wish to go further into the matter than to express a desire, that he believed was felt by the various constituencies of England, that every indulgence should be shown to the men arrested under this Act.

Major NOLAN said, there was another reason why these prisoners should be treated better than untried prisoners, and that was that they would be in gaol for a much longer period. Owing to the discomforts experienced by untried soldiers, it was provided in the Army Discipline Act that soldiers should not be kept more than 14 days without trial; but under this Bill men would not be kept 14 days, but a year and a-half without trial. Then, hon. Members were, perhaps, not aware of the transition state of prisons in Ireland at the present time, owing to the operation of the recent Act dealing with those establishments. Under the Prisons Act the county prisons had been taken over by the Government; but many of them were very imperfect and unfitted with the modern improvements, although the modern rules applied to them. Men imprisoned in these places would not experience that indulgence and laxity and forbearance—say as to obtaining warmth and getting exercise—which they would get in larger Government gaols. They would not have the benefit of the improved appliances for warming the cells, nor the benefit of the new rules as to personal contact. The state of the county prisons imperatively demanded that they should enter into some such details as the hon. Member for Kildare had brought forward in his Amendment. He did not say that some of the Government prisons were not in very good order; but the ordinary county gaols, that were now Imperial gaols, were such that great cruelty would be inflicted on the prisoners unless some provision of this kind were inserted in the Bill. An hon. Member who had lately spoken seemed to think that hardly any treatment could be too severe for these persons taken up on suspicion, and that no special rule should be made for them. Well, it was quite possible that prisoners might be subject to officials—county magistrates and gaolers—of the same views as the hon. Member, and unless they could tie them down to special and definite rules, they might see repeated some of those things the hon. Member for Limerick (Mr. O'Sullivan) had described; they might see men coming out of prison crippled and injured for life. He did not think that, after this Coercion Bill was forgotten, and they had got a good Land Bill, and Ireland had settled down, it would be desirable that they should have memorials going round the country, keeping the hardships and the sufferings of certain individuals fresh in the recollection of the people.

Colonel COLTHURST did not think the Government would find difficulty in properly treating the better class of prisoners who might be arrested on suspicion of treason; but he feared that such men as small farmers and labourers who might be taken up, would not have much comfort unless measures were taken to provide them gratuitously with those things which untried prisoners who were better off could purchase for themselves.

Mr. ARTHUR O'CONNOR thought the Amendment an eminently reasonable one, and could not understand why the Government should refuse to entertain it. In order to see how reasonable it was, it was necessary first of all to consider who the men were for whom this provision was stipulated, and what was their offence. A man to be arrested must not necessarily be suspected of high treason, treason-felony or treasonable practices; but he might be taken up because he was declared to be suspected of being accessory to inciting to the writing of a threatening letter. Such a man might be put in prison for 18 months and it was merely asked that if such a person were to be kept in gaol for such a period, that he should be treated with some humanity. The Chief Secretary had referred them to prison rules passed in the year 1877, and had evidently thought that these were sufficient to meet the case. What did these rules prove? That the Visiting Committee of a prison might permit any untried prisoner, on payment of a small sum fixed by the general prison law, to occupy a suitable room or cell specially fitted and furnished with suitable bedding and other articles in addition to, or different from, those furnished for ordinary cells. But who were the men who might be imprisoned on suspicion of having been concerned in inciting someone to write threatening letters? In a great many cases they would be men whose absence from their homes necessarily involved their families in ruin. They would have no means at all; the very fact of putting them in prison depriving them of all means of earning anything. It was a mere mockery to say that these people, if they furnished the funds, should have a little extra bedding, or some other little comforts, for it would be absolutely impossible for them to produce a farthing. Again, according to the regulations which the Chief Secretary had fallen back upon, the beds of such prisoners were to be made, and the rooms swept and cleansed——

The CHAIRMAN: The hon. Member cannot travel beyond the Amendment before the Committee, which has reference to a suitable room for a prisoner.

Mr. ARTHUR O'CONNOR: Quite so, and the Amendment proposed that the room should be suitably fitted. Well, he maintained that a room to be suitably fitted for such persons should be kept in a state of cleanliness. According to these rules—which the Chief Secretary was in Order in referring to, but which, it seemed, it was not for him (Mr. Arthur O'Connor) to deal with—a prisoner could be dispensed from cleaning his own cell, and making his own bed, and performing such unaccustomed tasks and offices on payment of a sum to be fixed by the Prisons Board.

The CHAIRMAN: When the right hon. Gentleman referred to these rules and details, I explained to him that he was out of Order; but it seemed that he was only complying with the desire of the Committee to have information on these matters. The hon. Member is now clearly out of Order in referring to them.

Mr. ARTHUR O'CONNOR said, he bowed to the Chairman's ruling, but must admit that he did not understand it. This cell or room that was allowed to a man, and was to be made suitable for him, ought to be such that he could remain in it without any unreasonable amount of suffering. It was necessary in the case of all prisoners that they should be allowed some exercise, and in certain cases prisoners were allowed to exercise separately——

The CHAIRMAN: I must ask the hon. Member to discontinue his speech if he continues to go through these rules, which have no reference to the Amendment under discussion.

Mr. ARTHUR O'CONNOR said, he was desirous of adhering closely to the terms of the Amendment, and it had appeared to him that he was not travelling beyond the ground actually covered by that Amendment in pointing out what he conceived to be essential in order to render these rooms "suitable" for the occupation of the persons detained in them. However, as he was not allowed to do that, he would no longer follow that line. The room, to be made "suitable," must be furnished and have all the necessary utensils, which must be kept clean by the officials, for it certainly would not be "suitable" for the prisoner to attend to them. As to the temperature of the room, it was plain that nothing could be more reasonable than the Amendment. Everyone must know that after the exercise a man obtained in free life, during his detention in prison his vitality became very materially lowered, and that heat was a great deal more essential to him than to a person under different circumstances. The Chairman would know, perhaps, better than any man in the House, how necessary 60 degrees of heat was to the health of a person in confinement. He trusted the Government would give the Committee an assurance on this subject—something they could take hold of and challenge him on hereafter if necessary.

MR. J. W. PEASE said, there was a strong feeling in the House as to the manner in which these prisoners were to be treated. On all sides it was admitted that men apprehended under the Act, whether guilty or not guilty, should be treated with great consideration. He wished to point out that it was no use whatever the Committee accepting the Amendment, because, after all, the question really depended upon the course of action which the Government would take, and the strong protection which the prisoners would have would be the power of hon. Members in the House to raise the whole question as to the way in which persons arrested were treated, and the fact that the Press was unfettered by the Bill. They had discussed this matter at such length, that it appeared to him the time had now arrived when they should go to a division. He could not conceive that it would do the prisoners much good to insert words in the Bill which, after all, if they wished to override the wishes of the House, the Government could set aside. The safety of the prisoners would be in the hands of the Government, the conduct of the Government could be brought before the House, and condemnation could be passed upon it which would soon upset those who had acted wrongfully. There was nothing the people of England took a stronger interest in than the treatment of these semi-political prisoners; but they were anxious for the Bill to pass in order that other important measures might be proceeded with.

MR. DILLON said, the arguments which had been put forward just now proved most distinctly the absolute necessity of this Amendment, because an hon. Member had stood up and said that the House took an interest in the treatment of the prisoners in Ireland, and that there was nothing they would be more jealous of than the conduct of the Government with regard to these prisoners. At the present moment there were fully 20 of his constituents in the county gaol receiving the most barbarous treatment. Would the hon. Member support him if he brought their case under the notice of the House? Or would the hon. Member and his Friends shout him down when he attempted to prove that these 20 respectable persons were detained in prison for no justifiable cause?

THE CHAIRMAN: The hon. Member must confine himself strictly to the Amendment before the House.

MR. DILLON said, that in excuse for what he was saying he would state that he was answering an argument which the Chairman had allowed an hon. Member to use to prove that the Amendment was not necessary. The hon. Member had said that this House took a jealous interest in the treatment of prisoners in Ireland, and he (Mr. Dillon) was endeavouring to prove that they did not take any interest at all in the matter. However, he would pass over that line of argument, since the Chairman had ruled it out of Order. The chief argument relied on by the Government for resisting the Amendment was that it was not wise or necessary to go into too many details as to the treatment of prisoners. Well, it was his opinion, on the contrary, that it was absolutely necessary to go into the most minute and particular details. What he regretted to have to state, but what was perfectly well known in Ireland, was that the Act would be made use of for the purpose of inflicting vengeance on the Land Leaguers. They would be put in prison by the most petty persecution possible under a Liberal Administration, and no rules would be sufficient to protect them from the petty vengeance which the men with whom they had been at war for so many months would endeavour to inflict on them. He had proof that such was the temper of the Irish magistrates. ["Order!"] He was endeavouring to show that these minute regulations were necessary for the protection of the prisoners against the magistrates. Was not that the Question? If the magistrates were humane men, who were only anxious to do justice, he, for one, would not think it necessary to support such an Amendment; but it was because he had no confidence in their mercy towards the prisoners, and because he believed that they would endeavour to take vengeance that he thought such proposals were necessary. At this moment, the magistrates were doing that particular thing which he was afraid they would do under this Act. This morning he had received letters of complaint from men who had been placed in prison, who were allowed only one hour for exercise out of the 24——

The CHAIRMAN: I must remind the Committee that this Bill is one of urgency; and that, under Rules specially framed, I am bound to keep hon. Members closely to the Amendment under consideration. I have already, several times, explained what is the Question before the Committee.

Mr. DILLON said, that what he was endeavouring to show was that, under the present rules, it was within the power of the magistrates to give a man only one hour out of the 24 for exercise.

The CHAIRMAN: The question of exercise is not within this Amendment.

Mr. DILLON said, he was coming to the argument that, therefore, it was the more necessary that the cell in which the prisoner was confined should be kept at a such a temperature that it would keep life in him—that he should not be killed in a week. It was possible to turn this Bill into an engine for killing and murdering men. He was talking about things that were happening in Ireland every day. He had a particular friend who was apprehended some time time ago, and put into one of these very prisons which would be used under the Act. It was four days before he could see his friend, being refused admission. The prisoner, he subsequently learnt, was, in the depth of winter and while the snow was on the ground, kept without any means of warming himself whatever; and it was not alone there was no warmth in the cell, but the walls were running with water. That man was Michael Davitt, and the treatment nearly killed him. It was three months before he got well again after his short imprisonment; and, for some time, he (Mr. Dillon), as a medical man, was seriously alarmed for his ultimate recovery. If an incarceration of this kind could put in imminent peril—as he would pledge his honour it did—the life of his friend, an untried prisoner, was he not entitled to appeal to the House that they should give some assurance that the hundreds and thousands of persons they were now going to put into prison should be secured against similar punishment? The Chief Secretary, if he wished to be honest in this matter, should, at all events, see that in every prison the prisoners should have the means of warming themselves. The county prisons were left to get what warmth the summer sun would give, and to soak in all the wet of an Irish winter; and were hon. Members to have nothing to trust to but the mercy of the magistrates or the Governors of the prisons? In conclusion, he would ask the Chief Secretary whether he would permit a committee of the friends of the prisoners in Ireland to visit the prisons and report upon them? ["Oh!"] Yes, he had no faith in the visits of the enemies of the prisoners, of the men who hated and were determined to have vengeance on them. Hon. Members jeered at the suggestion that a committee of the friends of prisoners should be appointed to visit the prisons, because they knew they could not and dared not allow such a committee to go round.

Lord EDWARD CAVENDISH had no doubt he was expressing the opinion of 99-100ths of hon. Members when he stated that they deeply regretted the necessity for any Coercion Bill, and were anxious that the persons who might be arrested should be treated with every consideration. It appeared that hon. Members opposite entirely ignored the words that fell from the Chief Secretary a few minutes ago. [Mr. Biggar: Of course we do.] The right hon. Gentleman had stated, in the most straightforward manner, that as soon as he had liberty to do so he would introduce words into the Bill to ensure prisoners being treated in as humane a manner as possible; and that assurance the Committee ought to accept. He trusted the Amendment would not be pressed to a division.

Mr. METGE did not doubt the kindly feelings of the noble Lord (Lord Edward Cavendish), but kindly feelings would not do alone in this matter; they must have some actual details, for the prisons in Ireland were in exactly the same condition as they were when the enormities to which reference had been made were committed. In Mountjoy Prison, at the present moment, there were cells only 6 feet square, and surely these were unfit for the residence of the people likely to be crowded into them under this Act. The late Dr. O'Leary, who was an hon. Member of this House, had, in an affidavit, declared that the treatment to which prisoners were subjected in gaol had hastened their decease. The cells were so small that the prisoners had been obliged to go to the ventilator to get breath to keep up vitality; and, under the circumstances, he agreed with the hon. Member for Tipperary that a committee, say of county or borough Members, should be appointed to inspect and report upon the condition of the prisons. The Chief Secretary had said that he did not seek to punish any persons; and if that were so, and the Government really did not wish to torture their prisoners, they would see that suitable rooms and suitable warmth and ventilation were provided.

Mr. JUSTIN M'CARTHY said, the Government had told them that all they wanted was the detention of these prisoners, so that they might not be the means of creating disturbance; that they did not want to inflict punishment. If this were so, it was most important that they should show the country they could accept the Amendment in principle, and were prepared to provide suitable rooms for the prisoners. He would remind the Government that this country was almost unique in its treatment of prisoners under detention; that in most other countries, such persons were simply detained in custody and no more, being allowed all the comforts they enjoyed at home. It was clear that, in order to obtain the greatest security for the proper treatment of prisoners, the Committee must go into detail to some extent; and the Irish Members were entitled to contend that, unless they had these details clearly set out in the clauses of the Bill, the intentions of the Government—which he supposed to be good natured and kindly—would not be carried out. They wanted definite rules to bind not the Government themselves, not the Chief Secretary, but the prison officials, who often treated the men under their charge as enemies. He would urge upon the right hon. Gentleman to accept the Amendment, at least, in principle, to show the people of Ireland there was no intention of repeating the bad treatment of prisoners of former years which had led to such ill feeling amongst the whole population of that country.

Mr. MARJORIBANKS would like to ask this Question of the Law Officers of Ireland—namely, whether there was any difference between the cells in which prisoners awaiting trial were confined and those allotted to convicted criminals; and, if so, in which class of cell persons arrested under this Act would be detained?

The ATTORNEY GENERAL for IRELAND (Mr. Law) could not give the exact details; but it might not be superfluous to mention that the distinction between the cells in which convicted persons were imprisoned, and those in which persons awaiting trial were detained, was clearly laid down by Parliament in the Prisons Act. In the case of persons awaiting trial, it was laid down that their confinement should be as little as possible oppressive, due regard being only had to their safe custody.

Mr. A. M. SULLIVAN: Answer the Question.

The ATTORNEY GENERAL for IRELAND (Mr. Law) said the Prisons Board had authority to make certain rules to carry out the intention of the Act. The provisions of the Prisons Act had been much discussed in Parliament in 1877, and the broad distinction there laid down between the treatment of tried and untried prisoners was, if he recollected rightly, largely owing to the exertions of the hon. Member for the City of Cork (Mr. Parnell), who took considerable interest in the matter; and, no doubt, that hon. Member had very carefully examined the prison rules carrying out that distinction which had been lying on the Table since 1878——

The CHAIRMAN: The right hon. and learned Gentleman is travelling altogether beyond the Amendment.

Mr. T. P. O'CONNOR: I rise to Order. The Attorney General for Ireland has not answered the Question put to him.

Mr. RITCHIE should like to hear the Irish Attorney General answer the Question. The right hon. and learned Gentleman had told them a great deal about tried and untried prisoners; but he had not said in what category the prisoners detained under this Act would be placed.

Mr. W. E. FORSTER: They will be treated as prisoners awaiting trial.

Mr. J. COWEN said, the question was distinctly put, whether prisoners awaiting trial and prisoners under this Act would be put into the same cells?

The ATTORNEY GENERAL for IRELAND (Mr. Law) said they would.

Mr. MACARTNEY said, if the Visiting Committees proposed were to examine these places ——

The CHAIRMAN: I must point out, before the hon. Member begins his speech, that "Visiting Committee" is not within the Amendment at all.

Mr. MACARTNEY said, he thought he was at liberty to refer to what other hon. Members had spoken of. The prison rules to which allusion had been made had been considered by the House in 1878, and anyone who was in the House at that time would remember what an immense amount of time their discussion took. He saw no reason why persons taken up under this Act should be treated any differently to persons awaiting their trial.

Mr. BYRNE said, the question of the suitability of the rooms was a very important one, and he was glad to see that humanity had not departed from hon. Members on both sides of the House. With regard to the prison rules, what the Committee had to do was to consider, not what the rules intended, but the facts as they existed at the present time, and as they had been stated by the hon. Member for Tipperary. As to this suitability, if any hon. Gentleman on the Ministerial or Conservative side of the House was going to lodge any member of his family, or his horses or dogs, in a new habitation, the question whether that habitation was suitable or not would be very carefully considered by him. Yet, according to the hon. Member for Tipperary, the room in which a particular friend of his had been imprisoned was not only damp and cold, but water was absolutely to be seen coursing down the walls. Would any hon. Member on either side of the House like to be confined in a room of this kind? The prison rules might not apply to cases that were likely to occur under this Bill, and the Government, he considered, were bound to give a reply, "Yes" or "No," to the question whether they would or not. But, further, if they were going to keep suspected persons in gaol for 18 months, the places in which they were confined should not only be suitable, but properly fitted, and so appointed that the prisoners could leave them in a state of health, and not in a crippled condition and with shattered constitutions. He did not go the length of saying that Turkey carpets should be put in their rooms, but he would go the length of saying that suitable and decent furniture ought to be provided.

Dr. COMMINS urged the Chief Secretary for Ireland to give a full explanation of the views of the Government on this matter, to satisfy the minds of hon. Members. It was said that all the Government wished to do was to secure persons who were considered to be dangerous, and that they were anxious to avoid giving unnecessary pain and annoyance to these persons; but it depended upon the careful treatment these people received whether unnecessary pain was not inflicted on them and whether their lives were not shortened. He had had the advantage of going over several prisons in England and Ireland —not under such advantageous circumstances as some of his hon. Friends—namely, as a prisoner, but as a looker-on—and he had found that the cells in which the tried and the untried prisoners were detained were identically the same. They were of a certain size, the prison regulations fixing how long and narrow they were to be, and what was to be the minimum height; and, so far as his experience was concerned, these places were of the regulation size all through the Three Kingdoms. Untried prisoners were allowed this little relaxation—they were allowed to gather together in one place for the purpose of working, for they were allowed to work, and could even subject themselves to hard labour if they thought fit. The floors of these prisons—all of which, he believed, were the same—were made of stone, and everyone knew that, in such a climate as that of Ireland, a room with a stone floor was a very uncomfortable place. The prisoner had not even a bed to lie down upon. There was a bench surrounding the cell, a mattress about an inch thick, and a single counterpane of prison manufacture. The rooms were cold, and to warm them fires might be lit; but these, owing to the size of the cells and the defective ventilation, would consume the air which was necessary to enable the prisoner to breathe. The injuring of the ventilation, the diminution of the quantity of air necessary for people to breathe, would shorten the lives of the prisoners as surely as though they were served with continued small doses of arsenic. In order to obviate this, the Amendment provided that there should be different cells for tried and untried prisoners. In Ireland a person charged with crime must be brought to trial within three months, for the Quarter Sessions met every three months—in some instances, indeed, the Sessions were held twice in that period.

THE CHAIRMAN: I must call the hon. Member's attention to the fact that he is going quite beyond the limits of the Amendment.

DR. COMMINS said, his desire was to keep, as closely as possible, to the question, and he was pointing out that this torture, this injury to the health of a person, could not last more than three months in the case of a person about to be tried for a crime; but in the case of a person arrested on suspicion under this Act it could last for 18 months. No matter how healthy a man might be when he was put in prison, if he were to remain 18 months in one of these cold cells, with nothing but a mattress an inch thick to lie upon, with nothing but a counterpane to cover him, he must come out with impaired health, perhaps crippled, or with a broken constitution.

MR. MACDONALD thought the Committee was entitled to have a direct answer from the Government with regard to the cells in which these people were to be placed. It had been said that the tried and untried prisoners would not be put in the same kind of cell; but there was no guarantee of that at the present time, and what guarantee could they have that any kind of cell would not be used for persons detained under the Act when the prisons became crowded? He would ask the Chief Secretary whether it was not the custom even now to put untried prisoners in the cells used for convicted criminals when the prisons were crowded; at any rate, until such time as better accommodation could be provided? He thought the evasions they had had from the Government for a considerable time were such as to entitle him to say—although he did not wish to use a strong expression—that the Committee was being trifled with. [No, no!"] Hon. Gentlemen might say "No!" but if they liked to hear discussions continued for two or three hours, when the Government could bring the matter to an end at once by giving a direct answer, he did not. Would the right hon. Gentleman also see that the cells had wooden floors, and not the miserable stone pavement? The assurance that there would be wooden floors would, in some degree, lessen the prospective horror of the place. He thought that, considering that some of those now occupying those Benches might get a residency there as well as others, they ought to insist on this much being done.

MR. W. E. FORSTER asked, could he or could he not be allowed to answer these questions?

THE CHAIRMAN: If the right hon. Gentleman confines himself to a simple answer to Questions, no doubt the Committee will extend an indulgence to him.

MR. W. E. FORSTER wished that the hon. Member who spoke last had been in the Committee throughout the whole of the discussion. He was obliged to say rather more than simply "Yes," or "No," for that would not be a fair answer to the Questions. The hon. Member asked whether the cells of untried prisoners were similar to those used for unconvicted prisoners. [Mr. MACDONALD: Whether they are the same cells?] Of course, they were not the same cells, because there would not be two men in the cell together. He believed, however, that according to the prison rules they generally were similar cells. As he had already stated, the Visiting Committee must provide, having regard to the ordinary habits and conditions of life, on payment of a small sum, a suitable room or cell specially fitted for such prisoners. If he had an opportunity of describing—but, of course, he was prevented by the Rules—he should have said he considered the adjective "small" ought to be reduced to the smallest possible sum.

MR. MITCHELL HENRY said, the right hon. Gentleman had said nothing about the boarded floor.

Mr. W. E. FORSTER said, he could not undertake to say that boarded floors should be provided in every case. But merely to answer that Question without explanation would, perhaps, induce hon. Members to vote under a misapprehension.

Lord RANDOLPH CHURCHILL said he really must rise to Order. He asked the Chairman, had not the right hon. Gentleman done all that was permitted, and given a plain answer to a plain Question, and whether he was not now travelling beyond those limits?

The CHAIRMAN: The Question was also distinct with regard to boarded floors. If the Committee wish to hear an explanation, the right hon. Gentleman is within his right.

Mr. T. D. SULLIVAN said, he also had asked that matting might be put on the floors of the cells.

Mr. CALLAN asked that there might be an answer from the Treasury Bench to the very fair Question of the hon. Member for Galway (Mr. Mitchell Henry) as to boarded floors. It was not a very difficult Question. Given the measured length and breadth of each cell, any contractor could say what would be the cost of boarding; or, perhaps, the experience of the First Commissioner of Works would enable him to give an estimate of the cost of covering each cell with 1-inch boarding, if expense was the only consideration, for there certainly could be no objection on humanitarian grounds. If any Member would pay a visit to Pentonville or Clerkenwell, they would see for themselves and learn from the prisoners what these stone cells were.

Mr. BIGGAR thought the direct charge of evasion made by the hon. Member for Stafford was well founded. A simple Question was asked a few hours ago, and during all the time since no direct reply had come from the Front Bench. These Amendments had never been met on their merits; but the Government had simply raised quibbles, and the result was that hon. Members who were in favour of the Amendments were forced to exhaust all the arguments they could think of. These Amendments, which would have been agreed to by any other Ministry——

The CHAIRMAN: The hon. Member is now speaking to some abstract proposition, and not to the Amendment before the Committee.

Mr. BIGGAR said, what he said bore exactly upon the Amendment before the Committee. This Amendment of the hon. Member for Kildare (Mr. Leahy) was of an exceedingly general nature, except in two particulars. The first objection raised by the right hon. Gentleman who replied was that it went too much into detail. But in what way did it do this? It stated in the most general terms that there should be a suitable room suitably furnished. Then it said with regard to matters of detail, that the room should have a boarded floor; and the next matter of detail was that the temperature should be kept up to 60 degrees. The right hon. Gentleman raised quibbles in reply; and now, at last, after a long cross-examination Government admitted that the cells were to be exactly similar to those of untried prisoners. He contended that that was not a suitable cell for the persons who would be confined under the provisions of this particular Bill. Untried prisoners had always, more or less, a *primâ facie* case against them; but the persons arrested under the Bill would be entitled to very much more consideration, for the probability was that they would be really innocent. And more than this, a cell suitable for a person who would only be confined in it for a few weeks, was not suitable for a person to be detained for a year and a-half. Further than that, the furniture and bed-clothes suitable for a person confined for a short time, would not be suitable for the general health of a prisoner detained for a longer period; and his circumstances required better treatment and accommodation, and included in these propositions was the boarded floor for which he wished to contend. It was said, when the Prison Bill was passed, that the new prison arrangements would allow of the classification of prisoners, certain gaols being set apart for certain classes; so it was perfectly within the power of the Government to do what was asked, or to punish these persons vindictively. He charged the Chief Secretary with vindictive conduct with regard to the passage of this Bill, when he was perfectly able to set aside——

The ATTORNEY GENERAL for IRELAND (Mr. Law) rose to Order, and asked was the hon. Member in Order in charging another with vindictive conduct?

THE CHAIRMAN: I did not notice the word; but if he charged the right hon. and learned Gentleman or any hon. Member of the House with vindictive conduct, it is an un-Parliamentary expression.

MR. BIGGAR said, he would withdraw the expression, and apologize to the Committee for having used one that was not Parliamentary; but if he could use any word to convey the same idea he would do so.

THE CHAIRMAN: Unless the hon. Member distinctly and entirely withdraws the expression, he is guilty of a want of Order, and of contempt to the Committee.

MR. BIGGAR said, he entirely withdrew the expression. It was entirely within the power of the Government to have certain prisons fitted up in the way shadowed forth by the Amendment, in Dublin or other parts of Ireland, and with boarded floors. It would be perfectly easy to heat the cells with hot water in a way to make them reasonably comfortable, and so that the prisoners would not suffer much personal inconvenience and have their health destroyed.

MR. M'COAN confessed that he was quite unable to reconcile the refusal of the Government to accept this Amendment with the statement made by the Home Secretary only that morning. It would be in the recollection of the Committee that the right hon. Gentleman had said that the main object of the Bill, and intention of the Government, was simply to insure the safe custody of the persons who were to be detained under the Bill. If that object were secured, everything else was matter of detail, in which he had expressed the readiness of the Government to accede to the sentiment of the Committee. If this were the Government object, he could not conceive why the Chief Secretary should decline to make the concession now asked for—a concession not merely to the victims of the Bill, but to humanity, and to the general sentiment of the Committee in relation to this particular Amendment. The Government had no right to ask for more than the powers adequate for the preservation of the public peace in Ireland. He would not say that they asked for the power to be cruel, and that they would be vindictive; but he must apply that to the general action of the Government on this Bill.

THE CHAIRMAN: The hon. Member is repeating what I distinctly stated was an act of disorder and contempt of the House if applied to Members sitting in this House; and I hope the hon. Member will not repeat the expression.

MR. M'COAN said, he meant his remarks to apply rather to the policy of the Government than to any individual. It was surely fair to say that of the general action of the Government as a body.

THE CHAIRMAN: I have already repeated the ruling I have given. The hon. Member must not use the words.

MR. M'COAN said, then he would say that in asking for the power to enable them to be cruel their action would not commend itself to the humane sentiments of the country. The Government, after all, were but the servants of the country, and their duty was to carry out the will and feeling of the country. He would not take advantage of his position to use impertinent language to the House or to the Government; but——

THE CHAIRMAN: The hon. Member has not yet approached the Amendment before the Committee.

MR. M'COAN said, he would merely add a word to commend the adoption of this humane Amendment. He had another Amendment on the Paper; but he was accidentally out of the House when called upon. If all the Gentlemen on the Treasury Bench were angels—and some of them were not angels—he would not put within their absolute discretion the power to be cruel to any subject of Her Majesty——

THE CHAIRMAN: Having directed the attention of the Committee to the irrelevancy of the remarks, I rule that the hon. Member discontinue his speech.

MR. W. CORBET rose to offer a suggestion that might get the Chief Secretary out of any difficulty. There was, in the county he represented, an unused county gaol; it had been out of use for a considerable time, as there was no crime in the county, and, consequently, no prisoners to put into it; and he would suggest that this gaol should be fitted up in the manner proposed by the Amendment for the purposes of this Bill.

Question put.

The Committee *divided*:—Ayes 51; Noes 310: Majority 259.—(Div. List, No. 50.)

Mr. M'COAN rose to Order, and, with feelings of the sincerest deference to the Chairman and to the Committee, asked for the guidance of the Chairman as to what should be his course under the particular circumstances. With reference to the incident which just now occurred, when he was ruled out of Order in applying a certain adjective——

The CHAIRMAN: The hon. Gentleman must understand that my ruling was for the irrelevancy of his remarks.

Mr. M'COAN gladly accepted that explanation. He understood that he had been ruled out of Order.

Mr. O'SHAUGHNESSY, in rising to move the Amendment which stood in his name, said, he thought the general principle upon which they should proceed in considering the rules for this description of prisoners was that the object of the Bill was not to punish people for crimes. The avowed object was very different; it was to prevent persons who were suspected of treasonable practices, and certain other offences, from pursuing those courses. This object of the Bill had been stated by the Government more than once, and those persons being put into gaol it was admitted they should not be treated as criminals, but only under such rules, having due regard to the object for which they were detained. Therefore, the Committee was bound, so far as they could, to mitigate the severity of the punishment, and one of the greatest severities of prison discipline was exclusion from friends. The Amendment was not very much to ask. These persons would be imprisoned possibly for a period of 18 months; and unless the rules were relaxed in their favour their detention would have many of the features of solitary confinement. By the regulations that dealt with untried prisoners, they were allowed a quarter of an hour to receive visits from their friends each day. In dealing with these they dealt with the case of those who were only in prison for a few weeks at most; but in the case of those whose imprisonment might last 18 months it was not too much to ask that they should have a larger amount of time for intercourse with their friends. In dealing with untried prisoners they dealt with those whom it was intended to bring before the tribunals, and to justify the course adopted; but in the class dealt with by the Bill there was no intention to justify the action in the ordinary course of judgment, so, on that account, they were entitled to greater relaxation of the ordinary rules. It should be borne in mind that these men would not be unconvicted prisoners in the ordinary sense. So far from the presumption of crime being strong against them, it had been laid down by the Attorney General for Ireland that the reason for the Bill was because the case of the Government against these men was an imperfect case; that was the cause for the procedure of the Bill. Then, surely, it was not unfair to ask that, when the case against these men was so entirely imperfect, they should enjoy the indulgence described in the Amendment. He did not know whether the Government would concede this or a similar Amendment; but he was certain that if they meant to deal with these men fairly they ought to introduce and lay before the House the regulations, setting forth in detail the indulgences to which these prisoners would be entitled, both in regard to this and analogous Amendments, and such regulations should be laid before the House before the debate on the Bill concluded. The last portion of his Amendment was to dispense with the presence of a prison officer during these visits, and he thought it would be admitted it was not an unfair addition to make. These interviews could not in any degree be of a satisfactory character if there was always an officer near listening. That might be necessary when a man was convicted, or about to be brought before the tribunals of the land; but when they took a man against whom the case was acknowledged imperfect, and he was only detained for the purpose of safe custody for 18 months, it was not too much to except these hurried interviews from the presence of an official.

Amendment proposed,

In page 1, line 24, at the end of sub-section (2), add "Each person detained under this Act shall be permitted to be visited by one or more persons at the same time for one hour on any week day during such hours as may from time to time be appointed, and, unless for some special reason, the presence of an officer of the prison shall be dispensed with during such visit."—(*Mr. O'Shaughnessy.*)

Question proposed, "That those words be there added."

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson) said, of course they were all agreed that the object was to detain these persons merely for safe custody, and that it was not intended to punish them. The object of the Government, in common with every hon. Member in the House, was to see that nothing more was done than was necessary for the safe custody of the persons who were incarcerated for a time under suspicion. But there would be a great difficulty in putting all these matters of detail into an Act of Parliament of this kind for this reason—so far as the particular matter of detail was concerned a provision of the Act might deal with it; but possibly it might also omit, and, therefore, be held to exclude other matters of detail. Therefore, if matters of detail were to be dealt with at all it would be necessary that it should be done in some way like a Schedule of rules to be laid before the House. That appeared to him—he would not say an answer—but a reason why the Amendment should not be accepted. But another objection to the Amendment was, that sufficient provision was already made by the prison rules. Among the rules for prison discipline, there was one by which the Visiting Committee themselves (by rule 19) were permitted to prolong the periods of visits allowed to any person for special reasons or in special cases. That was the general regulation of the Commissioners. The Prisons Act, under which the rules were made, also recited (s. 13) that it was expedient that a clear difference should be made between the treatment of persons unconvicted of crime, and in law presumably innocent, during the period of their detention for safe custody only, and prisoners committed for trial. The rule which he (the Solicitor General for Ireland) had referred to was applicable to the rule the hon. Member for Limerick mentioned when he spoke of the quarter of an hour visits, and allowed an unlimited extension on any week day, not merely one day in the week. That would go beyond the Amendment. Then, following what had been already mentioned, the rule alluded to (the 19th rule) provided also that the Visiting Committee might, for special reasons, extend the privilege of visiting to more than two persons at the same time, so that the Visiting Committee, while they could enlarge the period of the visit to an indefinite time, could extend those visits to any number of persons at the same time. It seemed hardly possible to express in wider language the facilities all desired to see extended to persons not committed for trial, but only for safe custody. So far as was consistent with that they would have pretty much the same advantages as they had out-of-doors. And then, as to the presence of the prison official, there was nothing in the prison rules that required his presence, except so far as was necessary to prevent an attempt to escape, or to tamper with evidence.

MR. O'SULLIVAN admitted the rules read very well from the book; but in working they were very different. It was important to know who the Visiting Committee were.

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, of course he could not speak again without permission; but he might be allowed to say they were appointed under the statute at the time and in the number prescribed by the Lord Lieutenant, and selected by the Grand Jury much like the members of the old Board of Superintendence. The statute also empowered any magistrate to go at any time he thought fit to examine the state of the prison.

MR. O'SULLIVAN said, the old Board had no sympathy with the persons imprisoned; they enforced the rules most stringently, and, indeed, their conduct was one cause for the vindictive behaviour of the prison officials. He knew himself of an instance where, because two persons had paid a visit to a prisoner, a third, a child of 12 years, was not allowed to see his parent. With a Visiting Committee in whom the people had no confidence these rules would be of little use.

MR. MITCHELL HENRY thought they ought to pin the Government to the statement of the Solicitor General for Ireland. If that was to be taken seriously, then it was perfectly clear that fresh rules would have to be made for these prisoners. Did the hon. and learned Gentleman really mean to attempt to persuade the Committee that prisoners were allowed to be visited without the presence of a warder? Why, it was a thing unheard of; and they must take care that the statement of the Solicitor General for Ireland, which, he confessed was exceedingly satisfactory, was carried out in practice. He put it to the Chief Secretary—for he believed the Government were anxious that these imprisonments should be carried out in a humane manner—whether, before the third reading of the Bill, he would consider a code of regulations to be embodied in the Bill for the treatment of prisoners, where their treatment differed from that of ordinary convicted prisoners. It was important when the Solicitor General said that visits could be made without the presence of a warder. This was a concession astonishing to him; and, without wishing to say anything disrespectful, the Committee must guard against being put off the scent by a concession made in this manner.

SIR R. ASSHETON CROSS said, he should like to hear at another time from the Chief Secretary what was the meaning of this statement. He was not aware that prisoners were allowed to see their friends without the presence of an officer.

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, the 13th section of the Prisons Act of 1877 provided that the rules should be made as little as possible oppressive, due regard only being had to safe custody; and sub-section 2 of the same section provided that, with respect to communications between prisoners and their solicitors and their friends, the rule should be made so as to secure to the prisoner as unrestricted and private communication between the prisoner, his solicitor, and his friends, as might be possible, having regard only to the necessity of preventing any tampering with evidence, and any plans for escape, or other like considerations.

Committee report Progress; to sit again *To-morrow.*

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 17th February, 1881.

MINUTES.]—PUBLIC BILLS—*First Reading*—Bankruptcy Law Amendment * (34).
Royal Assent—Consolidated Fund [44 *Vict.* c. 1]; Burial and Registration Acts (Doubts Removal) [44 *Vict.* c. 2]; Judicial Committee [44 *Vict.* c. 3].

BANKRUPTCY LAW AMENDMENT BILL.

PRESENTED. FIRST READING.

EARL CAIRNS said, that, seeing there was no immediate prospect of legislation in the other House on the subject of the Law of Bankruptcy, he proposed to lay on the Table a Bill for the amendment of the law, and to ask their Lordships to read it a first time.

Bill to consolidate and amend the Law of Bankruptcy; and for other purposes relating thereto—*Presented* (The Earl CAIRNS).

THE LORD CHANCELLOR said, he had no objection to the Bill being read a first time; but he was surprised that his noble and learned Friend should have been led to think that there was no immediate prospect of legislation on the subject. He could assure him that the Government intended that there should be such legislation.

Bill read 1^a; to be *printed;* and to be read 2^a on *Monday* the *28th instant.* (No. 34.)

SOUTH AFRICA—THE TRANSVAAL (MILITARY OPERATIONS)—THE LATEST TELEGRAMS.

THE EARL OF MORLEY said, their Lordships might like to hear the most recent telegrams relating to affairs in the Transvaal—

"From Brigadier-General Sir Evelyn Wood to the Secretary of State for War.

"Ladysmith, Feb. 17. 10 55 a.m.

"Have crossed Ingagane with 60th, 92nd, two squadrons of the 15 Hussars, 50 men Naval Brigade, and two naval guns."

"From the General Officer Commanding Natal and Transvaal to the Secretary of State for War."

"Pietermaritzburg, Feb. 16, 6 30 p.m.

"All 15th Hussars mounted between 25th January and 9th February."

ARMY ORGANIZATION (LORD AIREY'S COMMITTEE).—OBSERVATIONS.

LORD STRATHNAIRN, in rising to call the attention of the House to the desirability of the publication of the Report of Lord Airey's Committee on Army Organization before the production of the Army Estimates for the ensuing year, said, that the reasons for which he had ventured to solicit their Lordships' attention to the precedence which the debates in "another place" were to take of the Report of Lord Airey's Committee were financial, Constitutional, and military. He would not weary their Lordships by travelling in detail over beaten ground. He would simply state a few leading facts of the progress of Army reforms of 1870 which would justify the appeal he had made to their Lordships' attention A noble Friend of his opposite animadverted the other day on the general disregard of officers for economic considerations. But he could not agree with that opinion as regarded his brother officers and himself. What was the real state of the case? What had been a main cause of disapproval of the present system of short service on the part of officers and himself? The increasing and heavy expenses of the system, particularly as it was introduced with the recommendation of a great economy. How often had he not wearied them, for the last 10 years, with comments on the expense of the First Class Army Reserve, into which short service merged after six years, and the burdens that Reserve imposed on the taxpayers, whose cause he had specially advocated? Had he not complained continually of the original expense of the Reserve, rising successively from 2*d*. to 4*d*., and then to 6*d*., for the daily pay of the Reserve soldier, which, together with the expense of his uniform and other charges, amounted to nearly one-half of the pay of the Regular Army, although they had none of its discipline, supervision, or duties? And he had complained the more because the taxpayer had to pay double and then treble of the original cost he was promised, although the Reserve was rendered proportionately inefficient for the country's protection by having no drills and instruction, in order to suit the civil employer. Civil employment had always been the lame limb on which the First Class Army Reserve had always limped, until it expired after its call to arms in the Russian emergency, which added another burden on the taxpayer for the maintenance of the wives and children of the Reserve men when they had to give up their employment. And the subsequent debates in their Lordships' House proved the existence of another fatal objection to the First Class Army Reserve; and that was the decision of the Lord Chancellor, in order to avert the disappearance of civil employment, that this expensive Reserve was not to go to South Africa, and was only to be called out in the event of an European War, which they all knew was an event of only once in 50 years. But the worst of all remained to be told. A call-out of the Reserve to the Army for foreign war was the signal of its destruction, for no civil employer would employ Reserve men who, at any moment, might be called out to fill up the casualties of foreign war; and there could not be a better proof of the utter inutility of the First Class Army Reserve for England, saddled with vast Dependencies in every part of the world, than the fact that this Reserve would not, and did not, proceed to reinforce the army in South Africa, although in distress for help and reinforcements greater than ever before known, so much so that Royal Marines were sent off in great haste at a very great expense 3,000 miles to take the place of the Reserve at a time when their services might, at any moment, have urgently called for their presence with the Fleet in the Mediterranean. So much for the financial objection. Now came the Constitutional one. The Constitutional objection appeared, in his humble judgment, to be that to embark the country for another year in a vast and, he believed, useless expense for the short service system, without Parliament having before it the proceedings of a body of highly distinguished and selected officers assembled for the express purpose of inquiring into the evil effects of the present short service system, was unconstitutional and not deferential to the other House, whose special competency it was to vote Supplies. As regarded the military aspect, so clear was it that he should be very brief. He should only ask whether the want of discipline and *esprit de corps*, of which the results were very inferior non-commissioned officers, unparalleled desertions, and fraudulent enlistments, had not been the feature of the short service system at home, followed, alas! by fatal results in South Africa, where the inability of under-aged youths caused the collapse of the physical power, and necessarily with it the moral power of the Army. Should not those evils and their proposed remedy have been made known to Parliament before asking Parliament to maintain and continue those evils? While the results of this system were such in England and South Africa, they would all learn from the very able and very patriotic speech of Sir Frederick Roberts on Monday last, at the Mansion House, that his views, although pronounced with all the delicacy and consideration which characterized him, entirely coincided with those of his brother officers and himself, who, in a numerous body, from the rank of Major to Field Marshal, were assembled at the United Service Club at the first dinner given to Sir Frederick Roberts on his return to England, and received with enthusiastic applause the utterance of the very same sentiments—preference for long service to short service—that he uttered at the Mansion House. The language of Sir Frederick Roberts at the Mansion House admitted of no misunderstanding. He said—

> "That he should best show his gratitude to the assembly gathered together there that evening by giving to them the results of his experience as a soldier who had had opportunities of testing our past and present system, and that, if he had not seized that opportunity of doing so, he would have failed in his duty to the Army, to the country, and to the Queen."

He thought that on every ground it was desirable that Parliament should have before it a Report of Lord Airey's Committee; and he hoped to hear from the Under Secretary of State for War that the Government would lay that document on their Lordships' Table.

Lord ELLENBOROUGH said, he thought that an officer of the experience of the noble and gallant Lord (Lord Strathnairn) was fully justified in calling attention again and again to our present Army system, respecting which there was little or no difference of opinion among competent authorities. For his own part, he would rather have 12,000 of the old soldiers, whom some years ago it had been his fortune to command, than 30,000 of the weeds that were now occasionally sent out to regiments, even when in the field. Neither he nor the noble and gallant Lord who had brought these matters forward could be accused of any Party feeling, or of any desire to embarrass the Government, for they had expressed the same views, when sitting on the opposite Benches, repeatedly. These were matters of such vital importance that he thought they should be continually brought before Parliament and the country, until the necessary amelioration had been carried into effect.

Lord WAVENEY said, he was of opinion that the short service system had failed, and that those who were the best judges of the matter were convinced that, if the Reserve were called upon, it would be found that only 20,000 would be available out of the 30,000 brought into the ranks. He complained that their Lordships had no opportunity of knowing what the Reserve resources of England were; and, without making any imputations, he maintained that it was the duty of the Government to place before the country all available information they might have had the opportunity of collecting, when, in their discretion, it was not disadvantageous to the public interest to do so. He apprehended that it could scarcely be urged that the promulgation of the opinions of distinguished officers on this matter could be disadvantageous to the country. The opinions of the field officers who sat on the Committee would throw much light on the much controverted short service system, which had recently been so strongly condemned by Sir Frederick Roberts. The Government should give them an opportunity of forming an opinion as to how far Sir Frederick Roberts was justified in his remarks. If the Report were favourable to the short service system, it would prove a justification of Her Majesty's Government. If it were unfavourable to that system, it would show the points in which it required improvement. He thought their Lordships were much indebted to the noble and gallant Lord for moving in this matter.

Lord AIREY was understood to say that he entirely agreed with his noble and gallant Friend (Lord Strathnairn) that it would be well to lay the Report on the Table before the Secretary of State for War made his Statement in the House of Commons.

The Earl of MORLEY said, he had not anticipated from the Notice on the Paper the wider scope of the remarks which the noble and gallant Lord had addressed to the House; and he hoped the noble and gallant Lord would acquit him of discourtesy if he declined on such a Notice to discuss the very large and important question of long service and short service. In answer to the inquiry of the noble and gallant Lord, he had to state that the Report of the Committee would be presented to both Houses of Parliament after his right hon. Friend the Secretary of State for War had made his Statement on introducing the Army Estimates. When it had been presented, the noble and gallant Lord would have an opportunity of raising a discussion on the Army system, and the Government would be prepared to take their part in the discussion. With regard to the publication of the Report, he must point out to the noble and gallant Lord that this was not the Report of a Parliamentary Committee or of a Commission, but the Report of a Departmental Committee, which was a very different thing, for Reports of Departmental Committees were not usually presented to Parliament. He did not know that it had been the intention of the late Government to present this Report; but as it was on a subject respecting which it was desirable that Parliament should receive the fullest information, his right hon. Friend thought it was advisable to lay it on the Table of both Houses. While, however, his right hon. Friend and the Government were most anxious that they should not appear to conceal any information from the country on the most important subject, it was, in their opinion, undesirable to produce the Report until the time when the Statement on the Army Estimates was made in the other House, which, he hoped, would be before any very long period.

Viscount **CRANBROOK** admitted that it was not the custom to produce the Reports of Departmental Committees. To do so would sometimes be, of course, attended with much inconvenience to the Public Service; but when a Secretary of State for War had given Notice that he would allude to the Report in his Statement on the Army Estimates, it seemed only reasonable that Parliament should have an opportunity of approaching the discussion with full knowledge of the subject. If there had been any reason for keeping back the Report he should not have pressed for it; but when it was known that the document was to be laid on the Table, he could not conceive any possible reason for not publishing it before the Secretary of State for War made his Statement. To have it in the hands of the Members of both Houses before that Statement was made was very properly the object of his noble and gallant Friend.

House adjourned at a quarter before
Six o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 17*th February*, 1881.

MINUTES.]—New Writ Issued—*For* Cumberland County (Eastern Division), *v.* Sir Richard Courtenay Musgrave, baronet, deceased.

New Member Sworn — Pickering Phipps, esquire, *for* Northampton County (Southern Division).

Public Bill—*Committee*—Protection of Person and Property (Ireland) [79]—*Sixth Night*—r.p.

PARLIAMENT—BUSINESS OF THE HOUSE (URGENCY).

Mr. **SPEAKER** addressed the House as followeth:—I desire to lay upon the Table certain additional Rules framed by me, in pursuance of the Resolution of the House of 3rd February, for the Regulation of the Business of the House, while the state of Public Business is urgent.

Business of the House. (Urgency.)

17th February, 1881.

Additional Rules Framed by Mr. Speaker for the Regulation of the Business of the House, while the state of Public Business is Urgent.

Order to Committee to Report, or Consideration of Bill to be concluded.

1. That on a Motion being made, after Notice, that the Chairman of a Committee upon any Bill, declared urgent, do report the same to the House, on or before a certain day and hour; or that the Consideration of any such Bill, as amended, be concluded, on or before a certain day and hour; the Question thereupon shall be forthwith put from

the Chair, but shall not be decided in the affirmative, unless voted by a majority of three to one.

Consideration of Bill, as Amended.

2. That when the House has ordered that the consideration of a Bill, as amended, be concluded, on or before a certain day and hour, the several new Clauses and Amendments shall be put forthwith, after the Member who has moved any new Clause or Amendment, and a Member in charge of the Bill has been once heard: or if a Member in charge of the Bill has himself moved a new Clause or Amendment, after one other Member has been once heard thereupon.

ADDITIONAL RULE REGULATING THE PROCEEDINGS OF A COMMITTEE OF THE WHOLE HOUSE UPON ANY BILL OR OTHER MATTER DECLARED URGENT.

Proceedings in Committee when ordered to Report.

3. That when the House has ordered that the Chairman of a Committee on a Bill do report the same on or before a certain day and hour, the several Amendments and new Clauses, not yet disposed of, shall be put forthwith, after the Member who has moved any Amendment or new Clause, and a Member in charge of the Bill has been once heard: or if a Member in charge of the Bill has himself moved an Amendment, or new Clause, after one other Member has been once heard thereupon; and if the proceedings of the Committee have not been concluded at the appointed hour, the Chairman shall leave the Chair, and report the Bill to the House.

Ordered, That the said Rules be *printed.* [No. 73.]

QUESTIONS.

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ARMY—THE SHORT SERVICE SYSTEM.

SIR BALDWYN LEIGHTON begged to give Notice that on Thursday next he should ask the Secretary of State for War, with reference to the public statements lately made by General Roberts on the subject of short service, What steps the Government intend to take to secure the future efficiency and internal economy of the Army?

MR. CHILDERS: Sir, I will answer that Question at once. I shall state fully the views of Her Majesty's Government as to length of service on moving the Army Estimates.

PUBLIC HEALTH—TRICHINOSIS—IMPORTATION OF PORK FROM THE UNITED STATES.

MR. R. H. PAGET asked the President of the Board of Trade, If his attention has been called to a letter from the British Consul at Philadelphia, dated 21st December, 1880, published in a Paper recently presented to this House [C. 2787], referring to the immense mortality among swine in Illinois, the immense quantity of pork annually shipped to the United Kingdom, and the terrible nature of the disease called "trichina spiralis;" and, if he will state to the House if any, and what, powers are vested in the Board of Trade to order inspection, at the port of arrival, of any pork, butter, or cheese, imported into this Country, with a view of preventing the introduction of a disease of so appalling a nature as that described in the letter of the British Consul?

MR. CHAMBERLAIN: Sir, it is not a Paper presented by the Board of Trade; but my attention has been called to the letter mentioned in the Question; but the Board of Trade has no authority to order the inspection which is desired by the hon. Member.

CIVIL LIST, CLASS IV.—THE CORPORATION OF WESTMINSTER.

MR. FIRTH asked the Secretary to the Treasury, Whether the sum of £500 per annum or any other sum is now paid out of the public revenue or out of the Consolidated Fund to the Corporation of the City of Westminster, or to any representative thereof, if so, where can the entry of such payment be found; if not, when was such payment discontinued, and what, if any, compensation was given to such Corporation in respect of such discontinuance?

LORD FREDERICK CAVENDISH: Sir, the sum of £500 a-year has for many years been paid to the Deputy High Steward of Westminster out of Class IV. of the Civil List, and is applied to the expenses of the Court of Burgesses, which is charged with the duty of superintending the weights and measures of the district within its jurisdiction. In 1873 the Treasury gave notice that this allowance would be discontinued subject to the interests of the present recipients, and £30 a-year has already lapsed by the death of the Chief Constable. The total issues on account of Class IV. of the Civil List will be found on page 44 of the Finance Accounts. The details are not given.

ENDOWED SCHOOLS COMMISSION (IRELAND)—THE REPORT.

LORD RANDOLPH CHURCHILL asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Report of the Endowed Schools Commissioners (Ireland) has yet been presented to the Lord Lieutenant; if so, whether that Report contains full information on the management and condition of the large landed estates belonging to Irish Educational Endowments, together with a special Report on those estates by Mr. James Murphy, one of the Inspectors of the Board of Works; and, whether he would give directions for the printing of the Commissioners' Report to be expedited in order that it may be presented to Parliament, if possible, before the introduction of the Government Land Bill?

MR. W. E. FORSTER, in reply, said, that the Report of the Endowed Schools Commissioners for Ireland had not yet been presented to the Lord Lieutenant. The Report might be ready on March 1. He had no means of knowing whether the information alluded to in the Question with regard to the management of the estates of the Endowed Schools was or was not included in the Report. The noble Lord himself being one of the Commissioners, doubtless knew whether that information would be contained in the Report or not. When the Report should have been laid before the Lord Lieutenant it would be placed on the Table of the House without delay; but at present the matter lay altogether with the Commissioners themselves.

SOUTH AFRICA—THE TRANSVAAL (MILITARY OPERATIONS)—THE RE-INFORCEMENTS.

SIR WALTER B. BARTTELOT asked the Secretary of State for War, Whether it is correct that only one troop of the 15th Hussars is mounted; and, if that is not correct, if he can state whether all or what proportion of the regiment is mounted?

MR. CHILDERS: My hon. and gallant Friend will be glad to hear that all the 15th Hussars were mounted within a fortnight of their disembarkation. In reply to his further Question, I have to say that I have received to-day the following telegram from Sir Evelyn Wood, dated Ladysmith, 10.55 this morning:—

> "Have crossed Ingagane River with 60th, 92nd, 2 squadrons 15th Hussars, 50 men Naval Brigade, and two naval guns."

STATE OF IRELAND—THREATENING PLACARDS.

MR. TOTTENHAM asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the attention of the Government has been called to a placard, posted extensively last week in the counties of Cavan and Leitrim, in the following terms:—

> "Ballinaglera Branch of Land League.
>
> By virtue of a resolution passed at the last meeting of the above branch, that all the bailiffs, game keepers, and water keepers of this parish should resign, the following parties stand 'Boycotted:' Denis M'Tigue, Stradrina; Francis O'Hara, Cornamuckla; Peter M'Gorty (herd), Sleivenakilla; John Kilmartin, Carntullagh; Myles Kilmartin, Carntullagh; Michael Flynn and family, Carntullagh; Patrick (Stephen) M'Greal, Sleivenakilla.
>
> Dated 3rd February 1881. By order of the Ballinaglera Branch of Land League;"

And, if so, what steps have been taken to render those responsible for the publication amenable to justice?

MR. W. E. FORSTER: Sir, this placard is certainly of a very objectionable character. I have not received any legal proofs showing by whom it was issued. It purports to have been issued by a branch of the Land League. The Constabulary authorities report that the threat to "Boycott" the parties named in the placard have not been put into execution. I am glad also to find that the local police do not think that the parties threatened are very much alarmed.

POOR LAW (IRELAND)—LUNATIC ASYLUM APPOINTMENTS.

Mr. TOTTENHAM asked the Chief Secretary to the Lord Lieutenant of Ireland, Under what circumstances the claims of the Assistant Resident Medical Superintendents of the Irish Lunatic Asylums were overlooked in the recent appointment of Resident Medical Superintendent of the Carlow Asylum; and, whether the gentleman who received the appointment had any special qualifications justifying their supercession, or had ever served as an assistant in any lunatic asylum?

Mr. W. E. FORSTER: In answer to the first part of the hon. Member's Question I have to say that the claims of the assistant resident medical superintendents of the Irish Lunatic Asylums were not overlooked in making the appointment alluded to in the Question. They all received careful consideration. The gentleman who was appointed was intimately acquainted with the asylum and its duties, from the fact of his having attended them during the time that his father acted as visiting physician, and discharged the duties of that office when he was absent on leave. The Question seems to imply that some gentleman was superseded when the appointment was made. That is not the fact. These officers have no claim to these appointments. The appointments are made by the Board of Governors, and all applications are duly considered.

STATE OF IRELAND—COUNTY LEITRIM —THE MOHILL BOARD OF GUARDIANS.

Mr. FINIGAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, on the 22nd of January last, the Mohill (county Leitrim) Board of Guardians passed the following resolution:—

> "That, from the peaceable state of this county, the services of the military are not required, inasmuch as there is a total absence of crime, and their presence would tend to misrepresent the orderly state of society which happily exists;"

Whether a copy of this resolution was forwarded to the Local Government Board; and, whether it was not the duty of the Local Government Board to have forwarded a copy of the same resolution to him?

Mr. W. E. FORSTER: Sir, the facts with regard to this matter are as follows:—The hon. Member asked me a few days ago whether I had received a copy of a resolution from the Board of Guardians for Mohill, in the county of Leitrim, with regard to the peaceful state of the county. I said that I had received no such resolution. The hon. Member then asked whether I had received any intimation of them from the Local Government Board. It now appears that the Guardians, at their meeting on the 22nd of January, were asked to consider an application made by direction of the Government for the accommodation of troops in the workhouse. They passed two regulations, the first of which declared that there was no room for troops in the workhouse, while the second was in accordance with the hon. Gentleman's statement. The clerk of the Union only forwarded the first resolution of the Local Government Board, and I have since been informed that he did not send the other resolution for some time. I may say, however, that I have since received a copy of the second of these resolutions.

HIGHWAYS—THE HOUSE OF LORDS SELECT COMMITTEE.

Sir BALDWYN LEIGHTON asked the President of the Local Government Board, Whether it is true that the Select Committee on Highways (House of Lords), re-appointed last week, is not to meet for a month; whether he is aware that several highway boards have lately been dissolved, and that others are petitioning to do the same in consequence of the heavy burdens on the ratepayers, now doubled by taking down the toll-gates; and, whether under these circumstances, the Government will prevent any further delay in an inquiry, with a view to early legislation?

Mr. DODSON: Sir, the Resolution to appoint a Select Committee on Highways was passed on the 11th inst.; but, so far as appears from the Votes of the House of Lords, the Committee itself has not yet been nominated. I cannot, therefore, say that it will not meet for a month; but I have no reason to suppose that, when appointed, any unnecessary delay is likely to arise in its proceedings. Eleven highway districts have been dissolved since January 1, 1879, and eight new ones have been constituted during the same period. I have no information whether any other Highway Boards are petitioning to be dissolved in consequence of the increased rates caused by the abolition of turnpikes; but, if such should be the case, it is not easy to see how such a course will afford any general relief to the rates. No doubt, individual parishes may be relieved; but this would be at the cost of those through which the disturnpiked roads pass. For the reasons before referred to, there would seem to be no occasion for any intervention on the part of the Government in relation to the inquiry before the Select Committee. Indeed, when such a Committee has been appointed, it would be a very unusual course to interfere with its proceedings.

POST OFFICE—TELEGRAPH WIRES.

Mr. GRAY asked the Postmaster General, Whether the Post Office claim the right to prohibit owners, public or private, permitting wires, no matter by whom owned, or for what purpose, telephonic or otherwise, used, being run over their individual properties; and, if so, under what Act of Parliament the Department claims that right?

Mr. FAWCETT: Sir, the Post Office authorities do not object to owners of land erecting poles or wires for telegraphic (including telephonic) purposes thereon, so long as the telegraph or telephone is used exclusively for the purposes of the owner. But owners of land would be prevented by the provisions of the General Telegraphic Acts from allowing poles or wires to be erected for the purpose of carrying messages for persons other than the owners for payment, as aiding in the carrying of messages for the public is an infringement of the rights of the Post Office. It must be also understood that the owners of houses forming part of a street or adjoining a public roadway cannot, by virtue of such ownership, confer power on anyone to erect poles on or carry wires along or over such street or roadway.

POST OFFICE ACT, 1837—OPENING OF LETTERS.

Mr. GRAY asked the Secretary of State for the Home Department, Whether his attention has been called to Lord Campbell's declaration in his place in the House of Lords on June 17th, 1844. That he was Attorney General when the Post Office Act, 1 Vic. c. 34, was passed, and that it was his belief that the Legislature only intended under the 25th section of that Act to

> "Give a power to the Government in case it received information that a letter was passing through the Post Office containing matter dangerous to the State, to order such letter to be opened,"

and that the Legislature never intended to give a power to any Member of the Government to open all the letters of any individual if some suspicion was entertained by the Secretary of State with respect to that individual; whether that clause refers to an "express" warrant for the opening of "a post letter;" and, whether the power of opening letters is exercised in accordance with these specific and precise limitations; and, if not, under what authority any further powers with reference to opening letters in the Post Office are exercised?

Sir WILLIAM HARCOURT: Sir, if necessity should arise for exercising the right reserved to the Secretary of State in this matter, it would be exercised strictly in accordance with the provision of the Act 1 *Vict.* c. 36, and no post letters could be lawfully opened except upon the authority of an express warrant in writing under the hand of the Secretary of State, or, in Ireland, under the hand and seal of the Lord Lieutenant.

SOUTH AFRICA—THE ZULU WAR (EXPENSES).

Mr. GOURLEY asked Mr. Chancellor of the Exchequer, Whether Her Majesy's Government are now in a position to make a complete statement concerning the cost of the Zulu War, together with the proportion which the Governments of the South African Colonies have expressed their willingness to bear?

Mr. GLADSTONE: Sir, I am afraid I should be going beyond the limits of an answer were I to make a full statement of the financial liabilities incurred by this country in connection with South Africa. But, so far as the Zulu War is concerned, what I have to say is, that the estimate that was made last year by my right hon. Friend—rather, it was a statement, it was hardly an estimate—but it was a full estimate of the actual expense, which is likely to fall somewhat short of £5,000,000. Against this there is the sum of £250,000 expected to be paid by the Colony of Natal; but they will have to raise money by way of loan, which they have in contemplation. The other particulars of the financial state of South Africa had better be reserved until the time comes for making the Financial Statement.

CYPRUS—THE TEMUAT TAX.

Mr. RYLANDS asked the Under Secretary of State for Foreign Affairs, Whether the new personal tax known as "Temuat," which has been levied upon foreigners in Cyprus, has been sanctioned by Her Majesty's Government; and, whether he is aware that several Foreign Consuls in the Island have reported to their respective Governments that the tax is not authorized by the Capitulations, and is therefore illegal?

Mr. GRANT DUFF: Sir, the tax in question is not new; but it has recently been extended to foreigners in accordance with the policy of Her Majesty's Government in Cyprus and elsewhere—a policy which my hon. Friend will, I think, approve—that, namely, all fiscal burdens should be equalized as much as possible. I do not know what representations have been made by any Consuls to their own Governments; but one Consul has made some representations to us, and his representations are being looked into. We have no reason to suppose that, when the matter is understood, any objection to paying the tax will be founded on the Capitulations. The taxation of Cyprus, I may add, is engaging the attention of the Government, with a view to getting rid, as far as circumstances will permit, of its many anomalies.

LANDLORD AND TENANT (IRELAND) ACT, 1870—THE REPORT OF THE ROYAL COMMISSION—RESOLUTION OF BOARD OF GUARDIANS, CORROFIN, CO. CLARE.

Mr. FINIGAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he has received official notification of a resolution passed unanimously on the 3rd instant at a meeting of the Corrofin (Clare) Board of Guardians, by which it is declared—

> "That they notice with regret that the Joint Report of the Land Commissioners proposes to exclude farms rented at £50 and upwards from the benefit of the new Land Bill. That they believe such a limit would leave the greater portion of the land grievance untouched. * * * That they view with alarm the consequences of having any considerable section of the farming class excluded from the benefits of the new Land Bill?"

Mr. W. E. FORSTER: Sir, I have received no resolutions of the kind; but I must state that resolutions passed by Boards of Guardians are sent to me as President of the Local Government Board, and that Boards of Guardians are appointed for the purpose of carrying out the Acts for the relief of the poor, and not for any other purpose, except for carrying out the Sanitary Acts; and, therefore, it is not in my province to take notice of resolutions on other matters of Boards of Guardians.

POST OFFICE ACT, 1837—DETENTION AND OPENING OF LETTERS.

Mr. LABOUCHERE asked the Postmaster General, Whether he is aware that by the Act of 12th July 1837, Clause 8, the Postmaster General is guilty of a misdemeanour, and, being convicted thereof, will be liable to fine and imprisonment, or both, if he opens or procures to be opened a post letter, or wilfully procures or suffers to be detained or delayed a post letter, except in cases of a letter wrongfully directed; or of a letter returned because the person to whom it is directed is dead or cannot be found; or of a letter which the person to whom it is addressed either refuses to receive or to pay the postage thereon; or of a letter opened or detained in obedience to an express warrant in writing, under the hand in Great Britain of one of the principal Secretaries of State, and in Ireland under the hand and seal of the Lord Lieutenant of Ireland; whether, such being the Law, he will take care that no letter be opened or detained, in order to aid Law and civil order, except by the express warrant of a Secretary of State, or of the Lord Lieutenant of Ireland, in regard to the said letter; and, whether, in the cases of letters which have been opened during his tenure of office, in order to aid Law and order, he has acted under an express warrant either of a Secretary of State or of the Lord Lieutenant of Ireland in regard to each letter? He wished, also, to ask the right hon. Gentleman a Question of which he had not given him Notice—whether he would consent to lay upon the Table any warrant or warrants under which letters were detained within one month or two months? ["No, no!"]

MR. FAWCETT: Sir, I am acquainted with the provisions of the Act to which my hon. Friend refers, and I beg to assure him and the House that those provisions have been, and will continue to be, carefully observed. With regard to the Question of which he has not given me Notice, I have simply to reply, "No."

CONTAGIOUS DISEASES (ANIMALS) ACTS — FOOT-AND-MOUTH DISEASE.

MR. R. H. PAGET asked the Vice President of the Council, Whether, in view of the continued existence of foot and mouth disease, it is intended to issue an Order of Council prolonging the operation of the Markets and Fairs Temporary Order of 1881?

MR. MUNDELLA: Sir, the Privy Council have been for some time anxiously considering whether it would be prudent to allow the Fairs and Markets Temporary Order to expire on February 28, or whether it would be expedient to renew it for a further limited period. In considering this important question it has, of course, been necessary to review the effect of the Order up to this time, and to estimate the probable advantage of continuing it. Without entering into minute details, it appears that when this Order came into operation on the 17th of January, foot-and-mouth disease existed in 33 English counties, and that it has only extended to two other counties—Cheshire and Durham—since that date. The Order did not originally apply to Wales; but in consequence of two outbreaks in Brecon and Radnor it has been extended to the Principality since February 12. The Privy Council are fully alive to the inconvenience which must necessarily be caused by these restrictions, and they do not consider that it would be possible to continue them far into the spring. But they are of opinion that the results of the restrictions has been so far satisfactory, the spread of disease having been checked in a manner unprecedented in any former outbreak; and, without being over-sanguine, they believe that the disease, though still very prevalent in some places, begins to show signs of decline, and that, upon the whole, it would be imprudent to throw away the advantage we have gained by prematurely allowing the free movement of animals. It has been represented to us that the season is very backward, and that the movement of cattle during the month of March is not on a large scale, and in Scotland the prohibitory Order extends to the 31st of March. It has, therefore, been decided to renew the Fairs and Markets Order for England and Wales until the 31st of March. It must be remembered that, while public sales of store animals will be restricted for the present, there is no prohibition of private sale, or of public sales on farms of animals which are free from disease, and which have been for 28 days on the premises. It may be added, although it has not formed part of the hon. Member's Question, that a still more important Order, the Metropolitan Order, which also expires on the 28th of February, will be renewed till the 31st of March.

SOUTH AFRICA—THE TRANSVAAL (STATISTICS).

SIR GEORGE CAMPBELL asked the Under Secretary of State for the Colonies, If, since the Transvaal has been several years in British possession, Her Majesty's Government are in possession of any general reports showing the distribution of the population, how far the facts support or otherwise the accusations against the Boers of maintaining slavery in the country occupied by them, where and under what rule the mass of the Natives live, how far land in or out of possession of the Dutch was taken up by land jobbers in anticipation of annexation, how the money advanced by Parliament was spent, and what has been done by the British Government of the Transvaal to regulate the treatment and rights of the Natives, to sift claims to land and throw it open to Colonists, black and white; and, whether, if there are such reports, they will be produced? He wished also to know, communications with Sir George Colley having been cut off, who would be Her Majesty's political Representative in South Eastern Africa?

Mr. GRANT DUFF: Sir, it would obviousley be impossible to reply fully to my hon. Friend's series of Questions; but I may say, first, that a good many Papers relating to the Transvaal have, as my hon. Friend is aware, been already presented; and, secondly, that we shall examine those which have not been presented, with a view to seeing what we have got that may be of interest to my hon. Friend and give him all we can. I really cannot answer the last Question; circumstances may change from hour to hour.

CUSTOMS—BILL OF ENTRY OFFICE, &c.

Lord CLAUD HAMILTON asked the Secretary to the Treasury, Whether, during the inquiry of a Treasury Committee into the circumstances connected with the publication of the Bills of Entry, a statement of liabilities was laid before them, including a charge for superannuation of two clerks who had formerly been employed; and, whether a Memorial has been addressed to the Lords of the Treasury by the Directors of the Customs Annuity and Benevolent Fund, praying that, the business of the Bill of Entry Office with its profits having been taken out of their hands and being now carried on by the Commissioners of Customs on behalf of the Crown, the pensions of these two superannuated clerks might continue to be paid out of the profits of the undertaking; and, if so, what reply has been made to the Memorial?

Mr. J. HOLMS: Yes, Sir; these pensions were included in the statement of liabilities submitted by the Directors of the Customs Annuity and Benevolent Fund in August last. As to the second part of the Question, the reply made to the Memorial referred to was to the effect that the Bill of Entry Patent, having expired by the lapse of time and the Government having determined not to renew it, they saw no reason for assuming the charge of these two pensions, which are a natural part of the liabilities of the Customs Annuity and Benevolent Fund.

CUSTOMS—THE BILL OF ENTRY—COPYRIGHT REGISTRATION ACT.

Mr. GOURLEY asked the Secretary to the Treasury, Whether he is aware that the directors of the Customs Fund entered "The Bill of Entry" as a copyright in Stationers Hall; and, if so, will he state by whose authority the Commissioners of Customs continue the publication under its present name.

Mr. J. HOLMS: Sir, the Directors of the Customs Annuity and Benevolent Fund, while holding the Bill of Entry, took steps, at different times, to register the titles of some of their publications, and shortly before the expiration of the patent the Directors deemed it right to secure the copyright of all their publications, and the registration was completed early in August, 1879. At that time the Lords of the Treasury had it in contemplation to extend to any person who liked to apply for it the privilege of obtaining the information necessary for the compilation of the Bill of Entry publications, such privilege, up to that time, having been restricted to the Directors of the Customs and Benevolent Fund, and it was with a view of preventing any person from adapting the title or titles of their publications that they registered these titles. The Bill of Entry publications have been, by the direction of the Lords of the Treasury, carried on by the Commissioners of Customs on behalf of the Crown since the 1st of January last without any change having been made in the titles of the Bills.

SOUTH AFRICA—THE TRANSVAAL (POLITICAL).

Lord EUSTACE CECIL asked the Under Secretary of State for the Colonies, Whether any reply has been sent by the Colonial Secretary of the Cape Colony to the statements contained in the letter addressed to him by the Boer Chiefs in December 1880, and in the newspaper copies of Proclamations signed by them, and purported to have been published at Heidelberg on the 23rd of December last; whether he is in a position to lay any such reply upon the Table of the House; and, if not, whether Her Majesty's Government propose to take any official notice of these documents?

Mr. GRANT DUFF: Sir, I am not aware that the Colonial Secretary of the Cape Colony has sent any answer. Her Majesty's Government have not taken any official notice of these documents. There are various statements in them with which it would be quite impossible to deal without communication with Sir Owen Lanyon, with whom we have, of course, no means of communicating.

ARMY (AUXILIARY FORCES)—VOLUNTEER OFFICERS.

Mr. MACLIVER asked the Secretary of State for War, If his attention has been called to the dissatisfaction which prevails among the officers of the Volunteer force (225 having resigned their commissions during the three months of the Volunteer year); and, whether he is prepared to meet the complaints of Volunteer officers by conceding the claims which have been made in their behalf?

Mr. CHILDERS: Sir, in reply to my hon. Friend I must repeat what I said in answer to his Question on the 18th of January, that in moving the Army Estimates I shall state what is proposed with respect to the Volunteers. At the same time he will permit me to say that I know nothing of "dissatisfaction" among Volunteer officers, and that I believe the number of resignations in the Force is far more due to the recent fall in the incomes of what are known as the "easy classes" than to any other cause. As a matter of fact, my hon. Friend has been misinformed if he has been told that the resignation of Volunteer officers during the period to which he refers is excessive. Since the 1st of November last 281 officers have resigned, against 297 who resigned in the corresponding period of 1879-80; and the difference between resignations and appointments is only 25 less this year than last. Perhaps, however, he will wait until I have made my statement in moving the Army Estimates before pressing me further on this subject.

SOUTH AFRICA—THE TRANSVAAL (MILITARY OPERATIONS)—THE REINFORCEMENTS.

Colonel ALEXANDER asked the Secretary of State for War, Whether the following statement of the Woolwich correspondent of the "Times," in its issue of the 15th instant, with reference to reinforcements for the Transvaal, is correct:—

> "The composition of the infantry portion of the present reinforcements is not yet decided, except that it will consist of between 700 and 800 officers, non-commissioned officers, and men, and that, in the first place, demands will be made upon the depôts of the regiments now serving at the Cape, and their linked battalions. The depôts at Glasgow, Northampton, Winchester, and Armagh may consequently expect an early call, but it is considered desirable to permit volunteers to offer from all the regiments of the line to make up the requisite drafts;"

and, if so, whether he can shortly state any explanation for the failure of the linked battalion system to accomplish the expectation of the Localisation Committee of 1872—

> "That the battalion at home should serve as a feeder for the supply of casualties of the twin battalion in the same district serving abroad?"

Mr. CHILDERS: Sir, in reply to the hon. and gallant Gentleman, I have to state that the paragraph which he refers to is not strictly accurate; and that if it were, it would not be a foundation for his Question. Every regiment at the Cape whose linked battalion is at home will obtain drafts from that battalion. As to the others, no volunteers from other regiments have been called for.

THE EAST COAST FISHERIES—EMPLOYMENT OF A COAST GUARD VESSEL.

Colonel BARNE asked the Secretary to the Admiralty, Whether he will be able to send a cruiser about the beginning of March to protect the seven hundred fishermen from Lowestoft, and still larger number from Yarmouth, who will then be off the coast of Norfolk and Suffolk pursuing their calling, from the depredations of the Belgian and Dutch fishermen using the scythe-bladed grapnels, which have caused such immense destruction during the last two years;

and, whether a cutter or some vessel under sail can be spared for this duty, rather than a vessel under steam, which does great injury to the nets by her machinery?

Mr. TREVELYAN: Sir, the Coastguard cutter *Rose*, a sailing vessel of 130 tons, will be employed to protect the fisheries off the Norfolk and Suffolk coasts when the season arrives.

PRISONS ACTS—PRISON CELLS.

Mr. R. POWER asked the Secretary of State for the Home Department, If he would state in detail the differences between a cell that a convicted prisoner is confined in and the cell in which an untried prisoner is confined; and, whether those differences, if any, apply all over the United Kingdom?

Sir WILLIAM HARCOURT: Sir, I have only had time since Notice of this Question was given to ascertain the facts with respect to the English prisons. The Irish prisons are not under the direct control of the Home Office, and I have not had an opportunity of consulting the Scotch Commissioners. I can, therefore, only answer the hon. Member's Question with regard to England. In the arrangement of English prisons there is no distinction between the cells in which different classes of prisoners are confined. It has been the object of recent legislation to carry out the view expressed in the Act of 1865—namely, that all cells should be of such a size, lighted and warmed, ventilated and fitted up in such a manner as may be requisite for health. Of late years much pains have been taken and expense incurred to bring all prison cells up to the standard fitted for that purpose; and that object, I am glad to say, has been generally attained. The distinction between the case of tried and untried prisoners is, therefore, not in the cell itself, but in its fittings and accommodation, and extra indulgences in the prison are subject to the discretion of the Visiting Justices.

Mr. T. P. O'CONNOR wished to know what was the average size of the cells in the prisons, and also whether, as a rule, the floors of the cells were of stone or brick?

Sir WILLIAM HARCOURT: Sir, I am afraid I must ask for Notice of that Question. My recollection, however, of the fixed standard is this. [*Laughter.*] Well, I am not ashamed to say that, in the performance of my official duties, it has been my duty to see a good many prison cells; and, therefore, I may speak of my recollection. Speaking off-hand, I should say that the size is from 800 to 900 cubic feet; but I would rather answer the Question accurately, if the hon. Member will put it down on the Paper.

MERCANTILE MARINE—THE STEAMER "FERRET."

Dr. CAMERON asked the President of the Board of Trade, Whether his attention has been called to a statement contained in the "Glasgow Evening Citizen" of Saturday last as to the disappearance of the Steamer "Ferret," chartered from the Highland Railway Company by persons alleged to have given fictitious references and to have paid for the hire and outfit of the vessel in bills since dishonoured, which sailed from the Clyde in October last, and is said not to have been heard of since; whether, as stated, instructions have been sent to Her Majesty's Consuls abroad to look out for the vessel; and, whether any information has been received as to her movements?

Mr. CHAMBERLAIN: I was informed in December last by the Highland Railway Company of the disappearance of this vessel. I learnt from the Registrar of Shipping that she was at Malta in the middle of January. Since then I have heard nothing of her. If I receive any further information it shall be communicated at once to the owners.

THE MAGISTRACY (IRELAND)—THE LAND LEAGUE.

Mr. JUSTIN M'CARTHY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that the resident magistrate at the petty sessions of Drumlish, county Longford, in sending for trial a large number of persons charged with riot, has just announced that he will not accept as bail anyone who belongs to the Land League, thereby rendering it impossible that many of those awaiting trial can obtain bail, inasmuch as nearly all the farmers of the locality are members of the Land League;

and, whether he is prepared to sanction the decision of the resident magistrate?

MR. W. E. FORSTER: I have received no official information on the subject of the hon. Member's Question, and I do not know that I am likely to receive any. I have, however, seen an account of it in the papers. The hon. Member also asks me whether I am prepared to sanction the decision of the resident magistrate. I am not prepared either to give it or to refuse it my sanction. It is not the duty of the Government to terfere with the decisions of Judges, whether of the superior or the inferior Courts.

POST OFFICE ACT, 1837—OPENED LETTERS.

MR. J. COWEN asked the Secretary of State for the Home Department, If the Government have the power to detain letters as well as to open them; and if, when letters are opened, he will affix a stamp on the outside stating that they have been "opened by authority," as was done by the Governments of Mr. Pitt and Lord Liverpool, and promised to be done by the Government of Sir Robert Peel?

SIR WILLIAM HARCOURT: Sir, the Act 1 *Vict.* c. 56, which gives power to open letters, also gives power to detain them. I do not think it would be wise to limit that power in a manner which Parliament has not thought fit to prescribe in the Act.

THE MAGISTRACY (IRELAND)—ROMAN CATHOLIC MAGISTRATES.

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, If the Government are aware that in the county of Donegal 129 magistrates and deputy lieutenants are Protestants, and that only three magistrates are Catholics; that the inhabitants of the county are divided into 178,000 Catholics, and about 30,000 Protestants; whether it is through the Lord Lieutenant that recommendations for the magistracy must come; if the Government, to create a greater confidence amongst the people in the administration of justice, will cause a few Catholics to be appointed to the commission of the peace; and, whether any representations have already been made to the Irish Executive calling their attention to the paucity of Catholic magistrates in Donegal?

MR. W. E. FORSTER: Sir, I am not aware of the proportion of magistrates on the Bench in Donegal of the two religious persuasions referred to in the Question. The hon. Member speaks of the number of Catholics and Protestants in the county; but I rather doubt his figures. I think that if accurately stated they would appear thus—165,000 Roman Catholics to 52,000 Protestants of the several denominations. The recommendations for the appointment of magistrates do not come from the Lord Lieutenant. The appointments are made by the Lord Chancellor, on the recommendation of the lord lieutenants of counties. The Lord Chancellor informs me that he has recently appointed a Roman Catholic to the commission of the peace in Donegal. The Lord Chancellor has no power to remove magistrates without reasonable cause. No representations have been made as to the paucity of the Catholic magistrates in Donegal. It is only fair to state that not only the present Lord Chancellor, but his Predecessor, have been as anxious as possible to appoint suitable persons, no matter of what denomination, to the commission of the peace in Ireland.

STATE OF IRELAND—ADDITIONAL POLICE IN CLONAKILTY.

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, If the Government have had any representations made to them urging the erection of an additional police barrack in the village of Rossmore (near Clonakilty, county Cork); and if, before deciding on the matter, he will make inquiries as to what is the opinion held respecting the necessity for extra police by the bulk of the inhabitants of the district?

MR. W. E. FORSTER, in reply, said, that representations had been made to the Government urging them to establish such a station; but it had not yet appeared necessary to establish it. As at present advised, moreover, they had no intention whatever to establish it. The invariable practice in such cases was to obtain information of the local authorities, who were responsible for the peace of the district, and on the information so obtained the Government formed its decision.

PARLIAMENT — BUSINESS OF THE HOUSE (URGENCY)—THE NEW RULES.

MR. CALLAN said, he wished to ask a Question in reference to the New Rule No. 14. The New Rule was in the following terms:—

> "That no Member shall be allowed to speak more than once to the same Question; unless the Member in charge of the Bill, or any Member who has made a Motion, or moved an Amendment, desires to offer explanations."

He wished to know whether a Member who moved an Amendment was not in exactly the same position as the Member in charge of the Bill?

MR. SPEAKER: I have some hesitation in answering the Question of the hon. Member, because the Rule to which he refers applies to proceedings in Committee; and, as the House knows, questions of Order in Committee are settled by the Chairman. At the same time I apprehend that there can be no doubt that the construction put on the Rule by the hon. Member is quite correct.

NAVY—THE DETACHED SQUADRON.

MR. W. H. SMITH asked the Secretary to the Admiralty, Whether any information has been received as to the movements of the Detached Squadron, and how many of the crews and of the Marines would be available as a Naval Brigade for service in the Transvaal?

MR. TREVELYAN: Sir, I am glad to be able to inform my right hon. Friend that the Detached Squadron arrived at the Cape at 8.30 p.m. yesterday. The united crews amount to 1,726 men and officers. I am not aware how many could be landed as a Naval Brigade. I have no information on that point; but, by a calculation which I am making at this moment, I gather that on an emergency 700 men, or something over that number, would be available.

SOUTH AFRICA—THE TRANSVAAL (MILITARY OPERATIONS).

MR. ONSLOW wished to ask the Secretary for War, in reference to Question 25 on the Paper, which had not been put, Whether, now that Sir Evelyn Wood had arrived, he or Sir George Colley would be in command?

MR. CHILDERS: Sir, the hon. Gentleman asks me, in reference to Question 25, a Question about Sir Evelyn Wood. Question 25 cannot possibly refer to him. I do not see why the hon. Gentleman introduced Question 25, except as an excuse for rising on the present occasion. I will answer Question 25 if it is put to me, or any Question on Notice; but I do not see the connection between Question 25 and that which the hon. Gentleman has just asked.

PARLIAMENT — BUSINESS OF THE HOUSE (URGENCY) — THE NEW RULES.—NOTICE.

MR. GLADSTONE: Sir, I wish to give Notice, that unless the Committee on the Protection of Person and Property (Ireland) Bill be brought to a close this evening, I will, at half-past 4 to-morrow, move in the following terms:—

> "That the Chairman of the Committee on the Protection of Person and Property (Ireland) Bill do report the Bill this day at or before 12 o'clock."

SIR STAFFORD NORTHCOTE: Mr. Speaker, I wish to put a Question to you for the convenience of the House with regard to the operation of one of the Rules which you have just announced, and in respect of which a Notice has just been given. As I understand these Rules, if the discussion on the clauses of the Bill should not be concluded by 12 o'clock—in the event of the House having voted according to the proposition now submitted to it—I apprehend the Chairman will be required to report the Bill to the House as it then stands, not only without allowing any discussion on further Amendments, but even without putting them to the vote. I wish to know whether, if that is so, there will be any other opportunity in the progress of the Bill when Amendments of which Notice has been given, but which have not been reached at the time the Committee stage is concluded, can be submitted to the House?

MR. SPEAKER: Amendments may be submitted to the House on the Consideration of the Bill.

SIR STAFFORD NORTHCOTE: I put the Question on the assumption that there is no Report.

MR. SPEAKER: In that case, the object may be attained by a Motion to re-commit the Bill.

MR. A. M. SULLIVAN: Am I right, Sir, in assuming that on a Motion to commit the Bill or re-commit the Bill the several Amendments which have been shut out from discussion in Committee may then be discussed, because the Chief Secretary for Ireland has already intimated that he will put several Amendments into the Bill? Now, if the discussion closes at 12 o'clock, without the introduction of those Amendments, the right hon. Gentleman will be absolved from the insertion of those Amendments in the Committee stage. I should like to know what course the Government propose to take in reference to the promise of the right hon. Gentleman that in Committee certain Amendments should be introduced.

MR. W. E. FORSTER: The hon. and learned Member is under a misapprehension. I did not state that these Amendments would be moved in Committee, but I stated something precisely different, which was that the Amendments should be moved on the stage of the Report, and that if there was not a Report I would move the re-committal of the Bill on the Third Reading.

MR. A. MOORE: I wish to know, Sir, whether, when the Prime Minister moves his Motion to-morrow, it will be competent to raise a debate on that Motion?

MR. SPEAKER: No, it will not be competent.

MR. J. COWEN: I beg to give Notice that, on the first occasion when the Forms of the House allow me, I shall move that whenever the Government declare a Bill to be urgent that Bill shall be put to the House without any discussion whatever.

MR. A. M. SULLIVAN: I beg to give Notice that, in the event of the Motion, of which Notice has been given by the hon. Member for Newcastle (Mr. J. Cowen) being negatived, I shall move immediately afterwards, if the Forms of the House permit me to do so, that the Prime Minister have power to move that no Irish Member be heard on any Irish question.

ORDER OF THE DAY.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL—[BILL 79.]

(*Mr. W. E. Forster, Mr. Gladstone, Sir William Harcourt.*)

COMMITTEE. [*Progress 16th February.*]

[SIXTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Power of Lord Lieutenant to arrest and detain).

Amendment again proposed,

In page 1, line 24, at end of sub-section (2), to add the words "Each person detained under this Act shall be permitted to be visited by one or more persons at the same time for one hour on any week day during such hours as may from time to time be appointed, and, unless for some special reason, the presence of an officer of the prison shall be dispensed with during such visit."—(*Mr. O'Shaughnessy.*)

Question proposed, "That those words be there added."

MR. BIGGAR observed, that in regard to the proposed Amendment he did not know whether Her Majesty's Government were prepared to accept it, or whether, paying no attention to any of the arguments used, they intended to oppose every Amendment reasonable or unreasonable. Personally, he failed to see how any reasonable objection could be taken to the Amendment. It would be noted that the hon. Member for Limerick (Mr. O'Shaughnessy) had introduced into it the words "unless for some special reason," which would guard against any abuse of the privilege. Those words meant, he presumed, to provide for a case in which the Government might have reason to believe that a prisoner was contemplating an escape or using the liberty accorded to him for some improper purpose. The insertion of these words took away every objection the Government might otherwise entertain to the Amendment; and as the Government professed that they had no intention of punishing a suspected person, but simply of detaining him in safe custody and preventing him from committing any of the offences specified in the Bill, he thought the Amendment might, with safety, be acceded to. It must be perfectly well known to the Government that it would be an exceedingly heavy punishment to men who had been accustomed to the ordinary social intercourse of life to find themselves shut up in a cell for the greater part of every day without having an opportunity of being visited by their former friends and acquaintances. It would be an exceptionally heavy punishment to business men, who would be deprived of the opportunity of making their business arrangements. Under these circumstances, he thought the Government ought to agree to the Amendment, and not refuse, as had hitherto been the case, to listen to either reason, argument, or common sense. He was afraid they were now acting towards the Irish Members in a manner which, sooner or later, they would repent. Perhaps, however, it was as well that they should throw off the mask in regard to this Amendment, as they had already done in other cases.

Mr. DALY could see neither reason nor justice in aggravating the punishment of possibly innocent men by unnecessary harsh restrictions. The proposed Amendment was only permissive, but it would relax the stringency of the prison rules by allowing a man detained on mere suspicion for 18 months to have some sort of reasonable intercourse with those whom he desired to see. The Chief Secretary knew as well as he did that the gentlemen who composed the local Visiting Committee were persons who would be in direct antagonism with the individuals likely to be incarcerated under this Act; and when the Government proposed a measure of this kind, which he certainly regarded as an outrage upon the liberties of his country, it would be monstrous that a man untried should be detained for 18 or 20 months, and the only intercourse he was allowed to have with his relatives and friends should be by the permission or at the will of the members of the Visiting Committee. The Amendment was carefully drawn. It said that each person detained under the Act should be permitted to be visited by one or more persons at the same time for one hour on any week-day during such hours as might from time to time be appointed, and, unless for some special reason, the presence of an officer of the prison should be dispensed with during such visit. It was not just or fair that under the circumstances of the case the intercourse proposed by the Amendment should be at the will and under the supervision of the local Visiting Committee; but he was afraid, from the temper which Her Majesty's Government displayed, that the unfortunate prisoners had very little to expect in the way of indulgence.

Mr. W. E. FORSTER: I am unable to accept this Amendment in regard to the treatment of prisoners under the Bill; but I wish to make an allusion to the closing remarks of the senior Member for Cork City (Mr. Daly.) They certainly deserve the attention of the Government. The hon. Member has a very strong objection to this Bill, which he has stated over and over again with great clearness, and, I admit, with fairness. He objects to the regulations applied to untried prisoners being applied to persons arrested under this measure, because they are under the control of the Visiting Committee.

Mr. ARTHUR O'CONNOR: I rise to Order. I ask your opinion, Sir, whether the remarks of the right hon. Gentleman are within the four corners of the Amendment now before the Committee?

The CHAIRMAN: I understood that the right hon. Gentleman was about to explain to what extent the prison regulations now in force would apply to prisoners under the Bill.

Mr. W. E. FORSTER: I think it would be for the convenience of the Committee that I should be allowed to make an explanation, and I should have thought that the hon. Gentleman himself would wish that I should state on behalf of the Government what they are prepared to do. If, Sir, you think I should be in Order, I will now state what it is that we propose to do in regard to this matter.

Mr. ARTHUR O'CONNOR: I ask, again, whether the right hon. Gentleman is not altogether out of Order?

The CHAIRMAN: It is entirely for the pleasure and convenience of the Committee to say whether the right hon. Gentleman can be allowed to go beyond the four corners of the Amendment. I understood the right hon. Gentleman to say that he intended to confine himself to questions of prison discipline, and to be desirous of explaining the intentions of the Government.

Mr. SCLATER-BOOTH: You say, Sir, that it will be at the pleasure of the

Committee whether the right hon. Gentleman is allowed to make an explanation or not. As I understand the Rule, it is not competent for the Committee at its pleasure to make any exception to the Rule.

THE CHAIRMAN: It has been at all times the custom for this House and for Committees to extend indulgence to a Minister of the Crown who is desirous of making an explanation with a view of facilitating the progress of Business. It is a matter which is only in the power of the Committee to grant.

MR. FINIGAN: I rise to Order. I want to know if we are not now governed by a specific Rule, under a specific code of regulations? If so, I think it is both unjust and disingenuous to ask the Committee to decide what is really by the Rules left to you, Sir.

THE CHAIRMAN: I have already stated that if the Committee will not grant its indulgence to the right hon. Gentleman, he must keep himself strictly within the Amendment.

MR. HEALY: I rise to Order.

THE CHAIRMAN: The point of Order is now settled.

MR. W. E. FORSTER: Then I will follow the suggestion of the hon. Member, and will not make the explanation I was about to make. I will simply state that the Government cannot accept the Amendment, nor any of the Amendments very similar to it, which are upon the Paper, with regard to the visiting of prisoners. I have read the regulations with regard to untried prisoners, and I find that they give such prisoners power to see their friends for a quarter of an hour every day, and for a longer time if the Visiting Committee think fit so to direct. I think it would be unwise to bind the Visiting Committee to any general rule such as the Amendment proposes to lay down, and I do not think that Parliament should make special rules upon such a question of mere detail as this. I will put off the statement I intended to make as to the general treatment of persons arrested under the Bill until some other opportunity.

MR. FINIGAN could not understand upon what principle the Government were now acting. They told the Committee pointedly that prisoners under this Act would be treated as untried prisoners, but there was no word in any part of the Bill which placed that on record; and it was perfectly absurd to ask the Committee to accept mere statements, when they had a perfectly legal and Constitutional right to demand, instead of vague promises, that the Government should put down their proposals in black and white. The right hon. Gentleman the Chief Secretary had already told them that he would not bind himself to examine into any of the cases that came under the operation of the Act. Under those circumstances, the Amendment was most reasonable and just. If the object of the Bill was prevention, and not punishment, he did not see what was to prevent the system, now in vogue in Ireland for the treatment of untried prisoners, being applied to men arrested on what was called "reasonable suspicion" only, who would never have any trial whatever. The Government had declined to have any of the warrants of the Lord Lieutenant even revised, and there was no regulation whatever for the treatment of untried prisoners under the present measure. He urged that the Government were bound to say that the prisoners under the Act should not be treated as untried prisoners, or to introduce some clause or schedule by which a regular course of treatment should be laid down in so many words, in order that the Irish Members might be prevented from unnecessarily taking up time in the future in discussing the treatment of these prisoners. He knew of no provision which could be more just than the Amendment which had been proposed by the hon. Member for Limerick (Mr. O'Shaughnessy). It simply provided that prisoners detained under the Act could be visited by one or more persons at the same time. The whole of these matters would still be left to the Irish Executive, whose administration was not tempered with justice, but with severity. The probability was that the Irish Executive would not translate the Amendment in favour of the prisoner, but rather in favour of the Government. It was very well known that the exercise enjoyed by a prisoner was very limited; and it must be specially borne in mind that whoever might be unfortunate enough to be locked up under the Act, would be condemned to that cellular system of imprisonment, which had been found to be so injurious to the physical as well as the moral well-being of those who were subjected to it. He therefore hoped that Her Majesty's Government would accede to the Amendment, and would not continue to display that acrimony in debate which had distinguished them since the Bill was first introduced. The Government, although professing outwardly that they had no such intention, appeared to be determined that the Bill should not see the stage of Report. In taking that step they were, no doubt, influenced by the knowledge that the longer the Bill was before the House, and the longer it was before the people of England, the more clear would it become that it was punishment that was aimed at, and not prevention.

The CHAIRMAN: I must call the attention of the hon. Member to the fact that he is now travelling beyond the Amendment.

Mr. FINIGAN said, he willingly abided by the ruling of the Chair; but he must say that it was excessively difficult to understand what was in Order under the New Rules. If he had wandered he had certainly done so unwittingly. He was most anxious not to do anything that would transgress the four corners of the Amendment, or bring about the hostility with which he had been menaced. ["Order!"] He simply asked that some principle of justice should be acted upon by the Ministry, and put into words in the Bill, because, as the matter now stood, when they came to examine the wording of the measure they would discover that the professions of the Ministry were altogether worthless. He urged that unless the Government placed in the Bill the regulations they intended to enforce in regard to the treatment of the unfortunate prisoners, all their declarations and assurances would amount to nothing. They could not expect that the Irish Members would accept a mere statement unless they were allowed to see in the Bill the actual words which would give the prisoners a legal right to be treated with greater leniency than the rules for the treatment of untried prisoners at present provided. He hoped the Government would see their way to be just and generous as well as severe and legal; and if they would manifest such a disposition, they would have very little cause to complain of the spirit in which they would be met by the Irish Members.

Dr. COMMINS would press upon the Government that if they were not prepared to accept the Amendment of the hon. Member for Limerick (Mr. O'Shaughnessy), they would, at least, take seriously into consideration one evil that the Amendment would guard against. In England a gaol was easily accessible from every part of a county. A person residing in any particular county could reach any other part of the same county in half an hour, owing to the existence of railways and other means of conveyance. But in Ireland there were places which were neither accessible by railway or by a public conveyance of any kind. For instance, in the county which he represented (Roscommon) there were parts — and they were the portions which had most to apprehend from the operation of this Act—which were 30 miles away from the county gaol. In many cases there was neither railway, coach, nor public car, and persons who were likely to be arrested in those parts of the county would be removed from their friends to such a distance as would make it necessary, if they were to be visited by their friends and relatives, that such friends or relatives should undergo a day's journey, perhaps on foot. Surely it would be extremely hard if, after a wife or child had travelled perhaps 35 miles to see their imprisoned relative, they were only allowed to have an interview of a quarter of an hour with him. He asked the Government seriously to consider this point, and say whether such a limited interview was not altogether inadequate in such a case. Then in regard to the other relaxations proposed in the Amendment, he thought there were ample reasons for recommending them to the favourable consideration of the Government and the House. Untried prisoners and prisoners awaiting trial were not allowed intercourse with any person whatever, except in the presence of a prison official. They were not even allowed to see their counsel without a prison official being present when the interview took place. It was said that in practice these prison officials had neither eyes to see nor ears to hear; but if that was the rule in England, it would not be the case in Ireland. It was suggested that the presence of a prison official was necessary in order to prevent any attempt to escape, or to prevent the handing in of improper articles such as whisky or implements for breaking out of gaol, and that no attention was paid to any conversation that passed. He was afraid that it would be very different in Ireland; and the suspicion that a different state of things would exist in Ireland should be a ground for removing the prison official, or, at any rate, for having him placed in a different room from that in which the interview took place. His presence would, at the very least, be a cause of irritation—almost a standing insult to the prisoner — and there was no reason why the friend or relative should not be in one room with the prisoner, while the prison official was outside the door in another. In the case of persons incarcerated under the Act there would not be much danger of an attempt to escape. It would not be as in the case of prisoners awaiting trial with an apprehension as to the result of the trial, and there was no special reason which would operate upon them in inducing them to make an effort to escape. In the same way there would be no danger of the concoction of evidence, or the manufacture of other offences which the presence of a prison official would prevent. There was, consequently, no substantial reason why the prison official should be present. Therefore, apart from the mere humanity of the thing—and he was willing to admit that the Government would be as humane as they possibly could in the exercise of the extraordinary powers conferred on them by the Act — the prison official would be a listener of the most sacred and confidential communications between members of the same family. It was, therefore, incumbent on Her Majesty's Government to give the House some assurance that, if they were unwilling to adopt the actual terms of the Amendment, means would be taken to remove this unnecessary and painful infliction and this unnecessary annoyance, and also to extend the length of the interview, which, at present, was miserably short, especially when it was remembered that some of the visitors would have to travel 30 or 35 miles, often on foot, in order to have the interview.

MR. MITCHELL HENRY remarked, that hon. Members opposite talked of humanity to the prisoners. He certainly should have thought that the most certain way of ensuring humane treatment for prisoners under the Act would have been to have allowed the Government to make their statement as to the alterations they proposed to make in the rules for regulating the detention of unconvicted prisoners. He therefore wished, in the interests of the prisoners, and being altogether unable to understand the policy of the objection to allow the right hon. Gentleman the Chief Secretary to make his statement, to ask the Attorney General or the Solicitor General whether it was the intention of the Government to supplement the printed rules which at present applied to unconvicted prisoners, and under which the prisoners under the present Bill were to be treated by additional rules or regulations to ensure humane treatment? If that was the case he would ask the right hon. Gentleman the Chief Secretary, if he was not permitted to make that statement to the House, whether he would put on the Paper that night such modifications as the Government intend to introduce in the rules?

MR. HEALY said, that at the time he rose to Order, but was not heard, he intended to put it to the Committee that the right hon. Gentleman should be heard as an act of indulgence. It would tend to save an unnecessary discussion if the right hon. Gentleman could be heard, and for his (Mr. Healy's) part he should be glad to hear him.

MR. T. D. SULLIVAN wished to say, in reference to the remarks which had fallen from the hon. Member for Galway (Mr. Mitchell Henry), that if there was any inconvenience in the matter the fault rested with those who had made these restrictive rules. No doubt, it was inconvenient; but let them have one law and one rule all round. He hoped he was not transgressing in making these remarks; but he could not fail to notice in the course of these discussions that hon. Members who put forward certain arguments and pursued a certain line were listened to, while others, who rose to make comments in reply, were ruled to be out of Order. He supposed that this was quite right; but it was very inconvenient. Personally, he would do his best to observe the regulations which had been laid before the House. One word as to the Amendment. There was a special reason why he supported that portion of it which recommended that the presence of an officer of the prison should be dispensed with at the interview between the prisoner and his friends. A man detained under this Bill was not in the position of an untried prisoner. An untried prisoner was a man against whom the Government believed they had sufficient evidence to justify their bringing him to trial and to warrant a conviction. The man who was arrested under this Act would be in prison upon a very different footing. He would be a man concerning whom the Government believed they had not sufficient evidence to bring him to trial. That made a substantial distinction between the two classes of prisoners; and, therefore, the men arrested under the provisions of this Act would have a right, both in equity and justice, to better treatment than was provided by the bye-laws which regulated the treatment of men awaiting their trial, and against whom the Government thought they had sufficient evidence to justify a trial and conviction. Men might be confined under the provisions of the Act for as long a term as 18 months, and in the meantime their business would be suffering material injury. Their families, also, might be very materially suffering, and in reference to business matters they might have very important and private communications to make to their relatives and friends. A question of solvency or bankruptcy might have to be discussed in the prison cell. Was it right that the prison warder should be present at these confidential conversations? The warder would not be pledged to secrecy, and what guarantee would there be that the substance of the conversations would not be noised and spread about to the utter ruin of the unfortunate prisoner? He wished, therefore, to impress upon the Government and the Committee the importance of that part of the Amendment which asked that an opportunity should be given to a prisoner to confer confidentially with his friends and relatives without the presence of a prison warder. He would respectfully ask the consideration of the Government for the points he had put forward. He did not put them forward for the purpose of interrupting the discussion or of delaying the progress of the Bill. He believed they were important, and he asked that they should be fairly considered. It was most important to the men who might be imprisoned under the Act that they should be afforded some opportunities for private and confidential communications with their relatives and friends in regard to their family affairs and their private business.

Mr. RYLANDS said, the discussion which had taken place showed the serious inconvenience of the refusal on the part of hon. Members opposite to hear the statement of the right hon. Gentleman the Chief Secretary. [Mr. A. M. SULLIVAN: No one has refused to hear him.] It appeared to him that, instead of dealing with the question by a series of Amendments involving a number of details, it was extremely desirable that, in regard to all matters connected with the detention of these prisoners, who, no doubt, would occupy a very special and peculiar position, the Government should frame regulations having reference to this special class of prisoners. He hoped to hear from the Chief Secretary some statement of that kind. So far as he was concerned, he was not prepared to support the Amendment; but he would trust entirely to the action of the Government, being convinced that they would fairly meet the case.

Mr. LEAMY said, the hon. Member for Burnley (Mr. Rylands) stated that it would be very convenient to hear what the Chief Secretary had to say about the new regulations. He would remind the hon. Gentleman that yesterday the only rules they had were those to be found in the Prison Book, and they were deemed quite satisfactory by the Chief Secretary; and if it had not been for the Amendment, the Chief Secretary would not have found out what the Irish Members wanted. Unless they could feel absolutely certain that all the different Amendments they had put down would be considered, it would probably be found that the Chief Secretary's rules were of very little use. In reference to this particular case, as far as he could learn from the rules, untried prisoners or prisoners awaiting their trial had to spend 22 hours out of 24 in their cells, and they all knew what effect this solitary confinement in the prison cells had produced upon prisoners formerly. It had driven several of them mad. That being so, it became a matter of great importance that when these men were confined to their cells they should have some opportunity for that social intercourse which would probably prevent that malady from coming upon them. The idea of giving men who were engaged largely in business a quarter of an hour for consultation in regard to their business, in the presence of a prison warder, was simply absurd, and those against whom it would work most hardly were innocent men. A man who had committed various outrages, and who found himself in gaol, would feel that he had done something to deserve this treatment; but the innocent man who found himself in gaol, believing that he had been placed there through the spite or hatred of some of his enemies, knowing his entire innocence, knowing, also, that all the time he was in prison his family and his business were going to ruin, would, for these reasons, find imprisonment doubly bitter. If the Government desired to detain these persons, the least they could do was to afford them every facility for carrying on their business. It was said that facilities would be given to men for carrying on their ordinary employments. But take the case of a man in business. He could not work his business in gaol, he must give certain orders; it would be necessary that he should receive certain correspondence, and it would be impossible to dictate a correspondence in reply in a quarter of an hour. And it should be borne in mind that many of these men might be wholly innocent, and that if it were not for this exceptional, tyrannical, and unjust law they would not be in prison at all. Under these circumstances, he would certainly support the Amendment.

MR. M'COAN felt sure that the Chief Secretary would have had an opportunity of being heard if it had not been for hon. Members opposite. Personally, he regretted that the right hon. Gentleman had not been afforded an opportunity of making his statement, and for this reason—he had himself an Amendment on the Paper which would probably have been met by the statement of the right hon. Gentleman, and he would have been spared the necessity of trespassing on the Committee with that Amendment. He, therefore, again expressed his individual regret that the right hon. Gentleman had not been heard.

SIR JOSEPH M'KENNA remarked, that when the second reading of the Bill was carried, the power of the Government to detain these persons in prison was conceded. They were now merely battling for the removal of restrictions that were opposed to humanity. He believed that one-half of the men who would be arrested under the Act would be completely innocent. In order to get at the guilty men, they must take up everyone who was suspected of being concerned in a particular crime; and, therefore, a large number of the persons who would be detained in gaol would be innocent men. A man wholly innocent of any offence would be brought under the suspicion of the Government officials, a suspicion produced, probably, in many cases, by information given by the men who had themselves committed the crime. That was one of the dangers which hung over the whole of this legislation—namely, that the men who had committed the crime had a direct premium offered to them to fasten suspicion upon somebody else, because they would fear that otherwise the suspicion would ultimately fall on themselves, and they would be arrested and convicted. For instance, a man who was guilty of an offence would know the man who would be able to give the evidence likely to convict him, and he would have a direct interest in anticipating the information of that man by securing his arrest. The right hon. Gentleman the Chief Secretary, as a man, was proverbially and actually a humane man; but he had now to consider this case—that owing to the exigences of the State it was deemed necessary to empower the Government to lock up men who might be innocent, and to keep these men in a prison cell for 22 hours a-day, in what was practically solitary confinement. Now, such men, as long as they were detained, could do no injury outside. He therefore wished the right hon. Gentleman to give the House a pledge—and, if he did so, he (Sir Joseph M'Kenna) was sure he would keep it—that the mind of the Government would be applied to the framing of rules which should give as much freedom and liberty to the persons in custody as was consistent with their safe detention. *Primâ facie*, the Government had a right to believe that all persons arrested under the Act were innocent, and that they would not be taken up except on suspicion. The number of innocent persons arrested would be very large in comparison with the number of the guilty. No crime was ever committed in regard to which for the one guilty man there were not at least 10 suspected. Over and over again, men had been suspected who were not only innocent, but who had been denounced because they had been the men who had attempted to prevent the wrongful act from being done. He wished again to impress upon the right hon. Gentleman the Chief Secretary the importance and necessity of framing a humane code of regulations. The Bill, and the law enacted under it, would be a scandal, and a disgrace, and a burning shame if the great and Constitutional Charter of the liberties of the people was not guarded by every principle and law of humanity.

Mr. A. M. SULLIVAN rose to a point of Order. He wished to know whether the right hon. Gentleman the Chief Secretary for Ireland could, with the indulgence of the Committee, make any statement with regard to the treatment of prisoners?

The CHAIRMAN: The right hon. Gentleman cannot make any such statement.

Mr. A. M. SULLIVAN observed, that there seemed to be a misapprehension existing in the mind of his hon. Friend the Member for Wicklow County, who seemed to think that some hon. Members below the Gangway had prevented the Chief Secretary making this statement to the House. But the right hon. Gentleman had been prevented from doing this by the Rules of the House, for which he and his hon. Friends were not accountable. For their part, they greatly desired that the right hon. Gentleman should get up and make the statement if the Committee wished for it; but it seemed that he could only do that at the time which the Rules made by his Colleagues permitted. The Amendment before the Committee asked that certain safeguards should be introduced into the Bill with regard to prison rules which should not be allowed to depend upon the favour of the prison officials. The hon. Member for Galway County, who had just spoken, said that the most useful course would be, in his opinion, to allow the Government to make a statement as to what they intended to do; but that had not been permitted. The hon. Member for the county of Galway seemed to think that they might trust to the benevolent intentions of the Government and of officials——

Mr. MITCHELL HENRY rose to Order. The hon. and learned Member for Meath was entirely misrepresenting him.

The CHAIRMAN pointed out to the hon. Member for Galway County that this was not a point of Order.

Mr. A. M. SULLIVAN reminded the hon. Member that he must take care, or he would get suspended. He had simply contradicted a statement. Now, as it was contended that the Committee should trust to the benevolent intentions of the Government in the way of prison rules, he must refer to the disgraceful things which had occurred under former Coercion Bills, and these would serve to enlighten the hon. Member for Galway County. Dr. M'Donnell, one of the medical officers at Mountjoy Prison——

Mr. MORGAN LLOYD: I rise to Order. Is the reference of the hon. and learned Member to this Report in Order?

The CHAIRMAN: The hon. and learned Member, no doubt, knows that the Amendment before the Committee relates to the admission of visitors to prisons.

Mr. A. M. SULLIVAN said, he also wished to know whether there was to be any punishment for disorderly interruption?

The CHAIRMAN: The hon. and learned Member must keep strictly to the Amendment before the Committee.

Mr. A. M. SULLIVAN was keeping strictly to the Question before the Committee. He was about to quote from the Report of Dr. M'Donnell when he was interrupted by a Welsh Member, and he should now proceed to read the extracts at greater length, he feared, than he had originally intended. He should now read the statements of Dr. M'Donnell with regard to prisoners arrested in circumstances similar to those which would arise under the present Bill, showing their sufferings in consequence of the want of protection of the kind proposed by the present Amendment. "Thomas Burke," the Medical Report stated, "is showing undoubted symptoms of insanity." Why insanity? "Brought on by the cellular system, 24 hours a-day locked up in a stone-floor cell." Again, "Sweeny is very unsettled in his mind." What had happened to Sweeny? "Discharged, unfit for cellular discipline." Even a Welsh Member might understand the meaning of that. The Report proceeded—

> "Barry lately discharged, considered unfit, from his mental state, to go away from the prison without someone in charge of him."—

["Question!"] Let no hon. Member imagine that by crying out "Order!" and "Question!" he would choke off these disclosures. The Report went on to say—

> "I have no doubt that the prolonged confinement and severe discipline are the chief causes of all this, and repeat, from considerations of humanity, it will be a very grave matter if any of these untried prisoners commit suicide."

Now, the evil against which this humane medical man was protesting was that those men were not allowed society; and he also protested that they were not allowed the use of tobacco, which, he thought, might in some respect mitigate the evil. And these things happened while there was a Chief Secretary for Ireland as humane as the present occupant of the Office. He held that Lord Mayo, upon any fact that came within his knowledge with regard to the administration of prison rules, was upright and humane. These things had happened before under the administration of a humane Chief Secretary, and would possibly occur again under any Chief Secretary who did not necessarily know everything. There was also confined in the prison, under an Act similar to this, a young gentleman named Casey, who, being a person of literary tastes, would have been benefited by a visit from him (Mr. A. M. Sullivan), and other friends. But he had been refused this. His relatives lived 120 miles away and could not visit him, so he (Mr. A. M. Sullivan) sent him some monthly numbers of the history of Ireland then appearing. Would it be believed that the officials excluded Nos. 1 and 2, which brought down the history to the battle of Clontarf, on the ground that they were seditious publications. They must, therefore, not trust the Government officials in this matter, but make the Bill precise and clear. They might appear benevolent persons outside; but when they entered the prison they were changed men, their feelings became cramped, and their only anxiety was how to keep the prisoners in their custody. The Government proposed that prisoners arrested under this Bill would be allowed to pursue their ordinary avocations within the prisons. Now, he would take the case of an Irish solicitor arrested under this Bill. Suppose he was engaged in defending an action against the Government, was the Government warder to listen to all the confidential communications he would have to make to his clerk as to how the case would have to be conducted against the Government? Why, it was absurd. He was at one time one of the Visitors of an Irish prison, and he was 100 days a prisoner himself, and he could give the measurements of the stone floor of the cell—they were 12 feet by 10 feet.

THE CHAIRMAN: The hon. Gentleman must be aware that the size of the cell has already been discussed.

MR. A. M. SULLIVAN would ask the Chief Secretary to inquire of the Governors how many men committed suicide under that system. The admission of friends being restricted to members of the family—he appealed to the Committee not to be led away by a side road. This meant the wife, or a man's immediate relatives, who would have to come from a distance of, perhaps, 200 miles to Dublin; and he said that this was but the pretence of a concession without the reality. The Committee had, therefore, to choose between keeping men, as it were, hermetically sealed up in cells of the dimensions he had named, and allowing reasonable access to any friends who might wish to see them. Let the Government, within the limits of possible security, guard against the mental strain and eventual damage to the men arrested by accepting the Amendment of his hon. Friend; but let them not mock the Irish people by the pretence of a concession hedged round by the caprice of officials whom he could not trust.

MR. MITCHELL HENRY said, the Committee would bear him out in his statement that he never said this Amendment should go by the board. He said if hon. Gentlemen would allow the Chief Secretary for Ireland to explain the new regulations, the Committee would be in a better position to understand the Amendment and those which followed it.

Mr. DAWSON asked, whether, as the Committee were now discussing on what condition persons should be allowed to visit prisoners, it would not be in Order for the right hon. Gentleman the Chief Secretary for Ireland to make a statement on the subject?

The CHAIRMAN: I have already informed the right hon. Gentleman that, with the sanction of the Committee, he could make a general explanation, although it might not be strictly within the four corners of the Amendment. But, after the expression of feeling in the Committee, the right hon. Gentleman has not thought it right to do this.

Mr. DAWSON pointed out that the necessity for the present procedure was the inevitable result of the course adopted by the Government. They had simply introduced a skeleton measure, and it was well known that when people wanted to take extraordinary powers they acted on the principle that the less rules they had the better. If the right hon. Gentleman did submit rules——

The CHAIRMAN: The hon. Gentleman is now speaking of general rules, which is not the Question before the Committee.

Mr. DAWSON was quite aware of that, but, with great respect, he asked to be permitted to finish his sentence.

The CHAIRMAN repeated that the hon. Gentleman could not now discuss general rules.

Mr. DAWSON rejoined that he was not discussing general rules, but was dealing with the question of visits to a prisoner, their duration, and the persons who should make them—points which, he thought, came within the scope of the Amendment; and he contended that if a rule was laid done on that subject which tended to prevent those unfortunate men from becoming lunatics, it would not be due to the initiative of the Chief Secretary, but to the action of the Irish Members. ["Question!"] The House should remember that the constitution of Visiting Committees in Ireland was of a peculiar character. In England those Committees were composed of visiting justices, but those in Ireland were nominees of the Crown.

Mr. W. E. FORSTER: I rise to Order. The hon. Gentleman is going into the question of the Visiting Committee, and, as I myself have been previously precluded from making a statement affecting that question, the hon. Member can hardly now be in Order.

The CHAIRMAN: So far as I understand the hon. Member's line of argument, I think he will very quickly be out of Order.

Mr. DAWSON asked if a prisoner, under this Bill, was to be allowed visitors? If so, he was in Order in discussing the power which would dispense that liberty. The power which, in England, allowed a prisoner to have intercourse with his friends was a Justices' Committee—that was to say, it was composed mainly of magistrates chosen by corporations. But the magistrates in Dublin were not elected by the corporation, they were nominated by the Crown; and therefore he contended that, instead of this power being left to the option of these nominees, it should be in the Schedule and in the Bill. He knew there were Committees who had sympathy with unfortunate prisoners. On one occasion a prisoner was going to make a statement in the presence of a Committee, of grievances under which he was suffering, when the Governor stopped him and said, "I'll make you pay for this tomorrow;" and as the Committee were leaving, one of them had the courage to say, "Sir, you are wrong in saying that." He contended that every rule on the point of prison visiting should be inserted in the Bill, to show that the credit of introducing this humane principle was due to Irish Members, and not to the right. hon. Gentleman.

The CHAIRMAN proceeded to put the Question, when——

Mr. W. J. Corbet rose to address the Committee.

Mr. H. R. BRAND wished to know whether the hon. Member was in Order in rising after the Question was put?

Mr. ARTHUR O'CONNOR, also rising to Order, pointed out that the hon. Member for Wicklow (Mr. W. J. Corbet) had risen after the "Ayes" had given their voices, but before the "Noes" were invited to give theirs.

The CHAIRMAN said, it was very unusual to interrupt the Chair when the Question had been put so far; but the hon. Member for Wicklow was within his right, as the Question had not been completely decided by the Committee.

Mr. W. J. CORBET said, it was of the last importance that the Amendment should be conceded by the Government.

The privilege of visiting persons in durance was conceded even to the friends of the insane.

Question put.

The Committee *divided:*—Ayes 42; Noes 294: Majority 252.—(Div. List, No. 51.)

MR. W. E. FORSTER: I rise to move an Amendment. The hon. and learned Member for Meath (Mr. A. M. Sullivan) has said that the Government have determined neither to move nor allow any Amendment, in order to avoid the stage of Report. Undoubtedly, if we had been enabled rightly, and with a fair consideration for the proper discussion of this question, to save the time of the Committee, we should have been very glad to have done so; and, I suppose, that is the feeling of the Committee generally. But there are already four matters upon which the Government have undertaken to bring in Amendments, and I do not think it would be in accordance with precedent that more than four Amendments should be moved without the stage of Report. Therefore, I shall make the stage of Report a necessity, if the Committee agree to this Amendment. With regard to the treatment of prisoners, that is a matter which the Government have had under careful consideration. I do not expect, judging from what hon. Members on the other side of the House have said, that they will believe that we wished to have as careful treatment of prisoners as is consistent with the object of the Bill. Nevertheless, that is the fact. The question is, What treatment should be given to these prisoners? And I admit that we ought to take into consideration the fact that they have not been found in a Court of Law to be guilty of offence; and it may be the case—I hope it will not be the case—that they may be imprisoned for 18 months, and, therefore, for a longer time than untried prisoners are kept in prison. That is another reason why consideration should be shown to them. Allusions have been made to what happened in 1866. That was a time when there were either no rules with regard to untried prisoners, or there were, at any rate, not the present rules; and when, I think, there was no stipulation that the arrested persons should be treated as untried prisoners. The hon. and learned Member for Meath and other hon. Members have stated that a great deal of hardship happened in 1866. I do not know to what extent that was really the case; but I am willing to admit that, without the intention of magistrates or of the Government there might have been hardship. I think, however, it is only due to the Government, which had a great deal to do with the working of the Act, and also to that Government of which, probably, some of the right hon. Gentlemen opposite were Members, that I should state what was done in 1866, as the matter has been alluded to, and to show what was done in 1867 in consequence of what happened in 1866. The hon. and learned Member for Meath has asked how many persons had committed suicide in consequence of the hardships which they endured in 1866. I doubt if any persons committed suicide. They may have suffered very seriously from the treatment of 1866; but the matter was brought before the Government at that time—and here is what Dr. M'Donnell, an eminent physician in Dublin, and Superintendent of the Mountjoy Convict Prison, reported, and what the Government did in consequence of that Report. I read it first, because it is fair to the past Government that it should be stated, and also because I want the Committee to understand that it is upon the experience then gained that we are now intending to act. Hon. Members will find it in *Hansard*, vol. 186, page 1934. Dr. M'Donnell says—

"With reference to the health of the untried political prisoners at present confined at this prison, I can report favourably. I have stated in my annual Report for 1866, 'that all serious cases of illness among prisoners of this class were reported to the Government, and have been discharged from prison upon it being understood that confinement was likely to aggravate their disease.' There is at present not a single case requiring treatment in the hospital. With reference to the dietary of these prisoners they are permitted to obtain their own food from without if they please, but for those who do not do so the scale of prison dietary is tolerably liberal and varied, and during the cold weather additional blankets were distributed at my suggestion, so that I met with no complaints of cold from insufficient clothing. The prisoners are now daily in association with each other during their hours of exercise, and are permitted to smoke—a privilege greatly valued. Considering the construction of this prison, and the kind of discipline which is in some degree inseparable from that, prisoners of this class cannot be associated except when at exercise. As the days get longer and the weather milder, I would suggest that all those who desire it should be allowed two periods of exercise (in the forenoon and afternoon) during which time they would be in association with each other. The untried prisoners are allowed books as well from the library of the prison as sent by their friends. Those of them therefore who are capable of enjoying it have intellectual occupation."

The date of the Report was April 26th, 1867, and the letter was addressed to Lord Naas. It is upon that information that we are wishing to act now. Soon after the Westmeath Act was passed, rules were made by the Lord Lieutenant to carry out those recommendations; and I believe that no complaint was made of harsh treatment under the Westmeath Act. [An hon. MEMBER: Patrick Casey.] I think the complaint with regard to Patrick Casey was that he ought not to have been arrested at all; but, at all events, there was no considerable complaint with regard to the treatment of prisoners. A man would not, of course, like to be imprisoned; but what I wish to say is, that the rules made under the Westmeath Act were, I believe, favourable to the prisoners. Then, the question is, What should we do now? We carefully looked at the Westmeath Act, and also at the rules for the treatment of untried prisoners, and we came to the conclusion that the rules for untried prisoners were, on the whole, more favourable to prisoners than the Westmeath rules; and, also, that the rules for untried prisoners, which came into operation some years after 1866, were more favourable to prisoners than the rules for first-class misdemeanants. The proposal to treat them as first-class misdemeanants has not been made. The rules provided that the prisoners should be allowed to have books and a liberal dietary. [An hon. MEMBER: They paid for it.] Yes, they paid for it; but the prison scale was also liberal, and the rules with regard to prisoners were very much modified and more considerate than they were in 1866. Now, there is one objection taken to the course which we have taken. The actual rules provide that in a particular case, such as we have been discussing, a prisoner shall be allowed to see his friends for a quarter of an hour daily, and also for a longer period if the Visiting Committee permit it. They also give a good deal of discretion to the Visiting Committee for allowing intercourse with friends and relaxation. I fully believe the Visiting Committee would give that; and in the proposition I am going to make, it must be understood that I do not make it because I have any want of confidence in the humanity and discretion of the Visiting Committee. Hon. Members opposite seem to suppose that these prisoners will be placed in almost any part of Ireland, and in places which they describe as having very little accommodation. I can only say that I do not think that will be the case. The Committee cannot expect me to say where they will be confined. I cannot yet say how many it will be necessary to arrest. The hon. Member for the City of Cork (Mr. Daly) said that the people would leave the country; and I hope that the number to be arrested will be considerably diminished. We hope that arrangements will be made for the prisons to be fitted for their reception; and although I cannot commit myself with regard to boarded floors and the degree of temperature, I shall be disappointed and surprised if we are not able to put most of the prisoners in places with boarded floors and of proper temperature. But there is an objection to leaving this in the hands of the Visiting Committee; and there is another objection. According to the Prisons Act, as it stands, the rules for untried prisoners are the most favourable rules yet introduced with regard to prisoners; but the Visiting Committee have also power to increase the accommodation for prisoners. Fresh rules, however, can only be made by the Prisons Board with the sanction of the Lord Lieutenant; and such rules have to be laid on the Table of the House for 40 days before they can come into operation. That means that the Lord Lieutenant could not take the initiative, and there would be a delay of 40 days. Therefore, what I am going to propose is that these prisoners shall be treated as untried prisoners, with power in the hands of the Lord Lieutenant to make modifications of the rules if it seems desirable to do so, and that such modifications shall be laid on the Table of the House within 14 days of the making of the same if Parliament be sitting; and if Parliament be not sitting, then within 14 days of the next meeting of Parliament. That was the provision of the Westmeath Act, and upon which the Westmeath rules were made. I really do not see how we can do more. We take the best rules we can find—the rules with regard to untried prisoners which were decided upon after a long discussion in this House. We think it possible that these rules may require some modification in favour of prisoners; and, at all events, we think it desirable that we should ensure that they shall be so carried out as the Visiting Committee might carry them out, and as the Government believe the Committee would have acted.

Amendment proposed,

In page 1, line 24, at end of sub-section (2), after the word "prisoner," to insert the words "subject to the special rules for the time being in force with respect to prisoners awaiting trial: Provided, That the Lord Lieutenant may from time to time, if he shall think fit, make regulations modifying such special rules, so far as they relate to persons detained under the Act. Any regulations made by the Lord Lieutenant under this provision shall be laid before both Houses of Parliament within fourteen days after the making of the same if Parliament be then sitting, and, if not, then within fourteen days after the next meeting of Parliament."—(*Mr. William Edward Forster.*)

Question proposed, "That those words be there inserted."

LORD RANDOLPH CHURCHILL, having taken part in the discussion on the previous day, expressed great gratification at the concession which the Chief Secretary had made. No doubt, what the right hon. Gentleman had quoted from the letter of Dr. M'Donnell to Lord Naas would guide the Lord Lieutenant in making modifications; and he thought a great many Members of the Committee might feel confident that the treatment of the prisoners would be better than that of ordinary untried prisoners, and as favourable as was consistent with their safety in prison. But if the Chief Secretary had found himself in a position to make those observations in the course of the previous day, several hours of discussion would have been saved.

MR. MITCHELL HENRY said, he had an Amendment with reference to boarded floors; but he was exceedingly glad to find that he should not be obliged to trouble the Committee with that Amendment, because he knew perfectly well that the right hon. Gentleman would be better than his word, and would personally take care that prisoners were treated in such a manner as the House wished. He desired, however, to point out that, although it was perfectly true that Dr. M'Donnell had made the Report which the right hon. Gentleman had quoted, yet, several years before that time, Dr. M'Donnell had protested against the barbarities in the treatment of prisoners. That Report was made after numerous remonstrances had been unattended to, and the House would be interested to know that that action of Dr. M'Donnell was followed by his dismissal by the Government. He had had too much experience of these matters to take anything less than distinct and positive declarations as to what would be done with prisoners. Prisoners, under the new Act, would, he believed, be treated in the most humane manner possible to persons who were prisoners at all, and he was delighted that the Government had given way.

MR. J. COWEN said, he was glad the Government had at last resolved to make some concession to the repeated demands that had been addressed to them with respect to the treatment of prisoners. He wished to say, however, that a great deal of time and temper would have been saved if this concession had been made at an earlier period. What the hon. Gentlemen on the other side of the House, himself, and a few others near him, had been contending for was, that inasmuch as men arrested on suspicion when the Habeas Corpus had been previously suspended were treated with great severity, they were anxious not merely to have the general assurance of the Ministry, but undeniable and positive guarantees, that the men who were to be taken up within the next few weeks or months should not be treated with the same harshness as their countrymen had been before. If the Government had agreed in principle to that demand, a full sitting of the House might have been saved. Having yielded to it at that hour, they justified the resistance that the Irish Members had made. Many severe things had been said, both in the House and out of it, as to the persistent demand for more favourable treatment for these expected prisoners; but the submitting by the Government of the Amendment which was now being proposed removed the slightest grounds for the accusation of obstruction or unnecessary discussion. The point that struck him as requiring most consideration was the portion of the clause that referred to the control of the Visiting Committees. Visiting Committees in England might fairly be trusted in all matters of prison discipline. They were composed of country gentlemen amenable to all the courtesies and good feelings of life. In Ireland it was different. The men who constituted the magistrates belonged to one class of the community—namely, the landlord class. They were in absolute hostility, and even often war, with the other classes—the tenant farmers and peasantry generally. At this moment the landlords were embittered against the peasantry; and if they had the power to regulate the conditions under which any of the latter were detained in prison, it was likely that they would use that power in a vindictive and oppressive spirit. They would have got their unfortunate opponents under their control, and they would punish them for their real or supposed offences. He would rather that the management of the prisons under the new regulations were in the control of any other body in the country than the magistracy. Judging from the simple reading of the Amendment, that struck him as being one of the strongest objections to it. Moreover, he did not quite see the necessity for the 14 days during which the new rules were to lie on the Table.

Mr. W. E. FORSTER, in explanation, said, the reason why he proposed this Amendment was not that, in its absence, a different course would have followed, but because he noticed there were certain hon. Members who would not vest power in the Visiting Committee. As to the 14 days, he ought to say that the new rules would come into operation the moment they were framed. It was necessary, however, that some time should be specified during which they must be laid on the Table.

Mr. J. COWEN, continuing, said, hon. Gentlemen could not appreciate the intensity of the feeling of Irish Members upon this subject; but, if they knew the facts, they would understand how they thought and spoke so warmly on it. He would cite an instance which came within his own knowledge. One fact was worth more than a bushel of speculation, and the fact he was going to state was one of many that could be adduced by hon. Members opposite. He knew an Irish workman in the North of England who was no more a Fenian than the Irish Secretary was, but who was arrested under the last Coercion Act. This unfortunate man had had some relations in Ireland, and he knew that they were mixed up with the Fenian movement. He collected all the money he could and went to Ireland, with the view of assisting his friends to leave the country. When he got there he was himself arrested on suspicion. He was put into prison, and kept there for eight months, although no charge was ever made against him. The cell he was confined in had a stone floor, and the wet came through the floor and stood in drops on the flags. It trickled down the walls in streams, so that he could scrape it off with his hands. During all the time he was in prison he was 22½ hours out of the 24 confined in this damp, unwholesome cell, although he had never been guilty of any offence, and the Government never charged him with any. When released he was ill, and, in the course of a short time, he died; and it was no stretch of facts to say that he died in consequence of his treatment in that prison. His family had since gone to America, and his sons were now active leaders of the Fenian organization in the United States. They knew the history of their father's treatment, and they became enemies of England through it. It was instances of this kind that led to the embittered feeling amongst Irishmen abroad towards England. What he and the hon. Gentlemen near him wanted was that the treatment of these unfortunate men in gaol, if they were to be sent to gaol, should be of so considerate a character that it would not leave behind it the memory of the sufferings and hardships that arose out of such a case as he had just cited. He was glad, however, that the Government had made a concession, slight though it was.

Mr. A. MOORE was exceedingly glad that the Government had taken Visiting Committees under their control, for those Visiting Committees were the most exclusive and objectionable bodies in Ireland. There were many counties in which there was not one single Roman Catholic gentleman on the Committees. What, he asked, would be the position of a prisoner sent to a convict prison where there was no Visiting Committee? The regulations which applied to untried prisoners had no effect when a man entered a convict prison; and he would like to know whether the regulations which the Lord Lieutenant would make would only supersede the regulations of the Visiting Committee, or would also apply in convict prisons? It was all very well to say that prisoners were allowed as liberal a diet as they liked to have if they paid for it; but he thought provision should be made for a liberal dietary for such of those persons as would not be able to pay for such things. He expressed the opinion that the concession made by the Government absolutely justified the discussion that had been raised.

MR. T. P. O'CONNOR was very glad to hear the tone of the Committee with regard to the question under discussion, and to find that the Chief Secretary was now alive to the vast disrepute that attached to the official management of prisons, and the acrimonious feelings which had been created by the treatment of prisoners in the past. The Chief Secretary had evidently paid a considerable amount of attention to this subject since the House last met; but what he wanted to impress upon the right hon. Gentleman was that he should be able to measure accurately the depth of the feeling upon this subject on the part of the Irish people, in order to regulate the power of the Lord Lieutenant. In order to understand this subject, the right hon. Gentleman should thoroughly grasp the fact that, in the opinion of a large number of Irish constituencies, the cases in which persons had been prematurely sent to their graves by prison treatment were numberless. The right hon. Gentleman had quoted from the Circular giving the Report of Dr. M'Donnell——

MR. W. E. FORSTER: No; I quoted from *Hansard.*

MR. T. P. O'CONNOR had thought it was from the Circular sent to the House by Mr. Alfred Webb.

MR. W. E. FORSTER: I have seen that Circular.

MR. T. P. O'CONNOR said, he had telegraphed to Mr. Webb for further particulars, and had obtained from him the following list, which would show the necessity for new regulations:—

> "Died in prison or from the effects of prison treatment:—John Lynch, R. J. Stowell, John Fottrell, W. Harbron, W. Kennedy, James Smyth, James Steenson, Sergeant McCarthy, William Speedy, Daniel Darragh, Patrick Riordan, Jerome O'Keeffe, John Stapleton, John Kelly, Patrick O'Shaughnessy, Edward Duffy, John Hogan, J. McGough, W. Kelly, W. Meagher, John Daniel, James Rooney, James Bourke, John Dalton, Luke Fulham, J. K. Casey, James Mountaine, Terence Byrne, and Patrick Walsh. Insane or paralyzed:—J. J. Joyce, M. MacFeeley, James MacPhilan, and Daniel Reddin."

There was here a list of 29 persons who had died in prison, or from the effects of prison treatment, since 1867—a terrible thing to contemplate; but, in addition to that, there was a list of four persons who had been either driven mad or paralyzed by that treatment; and Dr. M'Donnell had a list of five persons who had been driven insane. He was sorry the right hon. Gentleman the Chief Secretary for Ireland was unable to attend, just now, to the facts that were being brought before him. They were very important, and his attention to them was very necessary. Long before he (Mr. T. P. O'Connor) had entered into public life, a friend of his—a person who had been confined in Portland Convict Prison for a political offence—had told him that a fellow-prisoner used to go round the island gathering snails, and, so hungry was he, that he swallowed the snails, shells and all.

MR. W. E. FORSTER: He was not an untried prisoner—a person arrested under such an Act as this.

MR. T. P. O'CONNOR said, this unfortunate man, reduced by slow starvation, ended in a suicide's grave in the Liffey.

MR. W. E. FORSTER: Is the hon. Member referring to a case under the suspension of the Habeas Corpus Act?

MR. T. P. O'CONNOR admitted that this was not the case of an untried prisoner, but the case of a convict; but he mentioned it to show why the Irish people entertained such bitter feelings on the subject of the treatment of political prisoners. The description he had given of this unfortunate man at Portland was greeted with incredulous laughter from hon. Gentlemen opposite; but he would pledge his own credit for that of the gentleman who had given him the information. The circumstance was repeated to him in ordinary private conversation, long before he had had the opportunity of giving such statements publicity; and the fact that a prisoner was starved into devouring snails and driven into committing suicide, and many facts of a like nature, excused the bitterness of feeling entertained by the Irish people and the steadiness of the opposition the Irish Members had given to the Bill.

MR. W. E. FORSTER: I thought at first the hon. Gentleman was alluding to what happened under a similar Act to this before we had these rules; but now, it seems, he is referring to what happened in a convict prison.

MR. T. P. O'CONNOR said, he was endeavouring to show why the Irish Members felt it their duty to insist on a proper discussion of this question of prison treatment. [" Question!"] He was speaking to the Question. He would advise the hon. Member for Londonderry (Mr. Charles Lewis) to watch more closely the interests of his constituents; it was scarcely decent for an Englishman, who represented an Irish constituency, to interrupt in this manner. He was sure the right hon. Gentleman who was Home Secretary at the time these atrocities to which he referred were committed would not have permitted them had he been aware of them. The Chief Secretary would not permit them in the future if he could help it; but if the right hon. Gentleman were ten times as humane as he was—and he was willing to give him credit for the greatest humanity—he would be powerless to prevent them, and the Irish Representatives would not be satisfied with anything short of provisions in the Bill to render them impossible. In 1866, while the atrocities complained of by Dr. Robert M'Donnell were being committed on the prisoners in Mountjoy Prison, the subordinates of the present First Lord of the Treasury were declaring in the House that the prisoners would be treated with indulgence. On the 16th of March, 1866, these words were used—

> "Untried prisoners ought not to be subjected to any undue or improper restrictions, or to any stringency not absolutely necessary for their safe custody."

The right hon. Gentleman (Mr. Gladstone) nodded his head, and, no doubt, he heard these words used. They were uttered at the very time the atrocities were being practised, and the person who uttered them was the Gentleman who was now the right hon. Mr. Justice Lawson; and the occupants of the Treasury Bench ought not to be surprised if the Irish Members were a little sceptical as to general promises, even from men whose honesty they trusted, when, side by side with such promises, there was going on in Mountjoy Prison that which would have done credit to the dungeon in which Silvio Pellico was confined. If the right hon. Gentleman would allow him, he would offer an alternative proposal to that before the Committee—a proposal the discussion of which, he was sure, would not occupy more time than the Government were disposed to allow. He would suggest that they should put in the Bill, in the form of a Schedule, a general Code of Regulations—he presumed he would be in Order in alluding to the general features of his proposal as a counter-proposition to that of the right hon. Gentleman, for that right hon. Gentleman's consideration. His proposal could be agreed upon in the course of half-an-hour, or an hour's consideration, by men who were willing to give and take and facilitate Business —and he thought he could answer for hon. Gentlemen sitting round him—that if the Government were willing to meet them in anything like a fair spirit on this question they would be willing to curtail the discussion within the narrowest limits, in justice to themselves and their constituents. What he would propose would be this. In the first place, he would establish a new Visiting Committee; and, in order to show that he did not wish to be in any way unfair, he would have it composed mainly, if not entirely, of gentlemen who had no sympathy with him and his Friends. For instance, he would propose a man like the right hon. Mr. Justice Barry as chief, and, side by side with him, he would put Dr. Robert M'Donnell, John O'Hagan, Q.C.—a Dublin lawyer of great eminence, who, however, did not share the opinions of Irish Members sitting on those Benches — and Dr. Neilson, a medical gentleman who, last year, was employed to inquire into the condition of Mayo. He would be disposed to leave to this Committee the amendment of prison regulations for the treatment of prisoners confined under the Act, although, if the right hon. Gentleman would permit him, he would prefer to lay down these 10 general rules——

THE CHAIRMAN: The hon. Member is now discussing an Amendment which comes considerably lower down on the Paper.

MR. T. P. O'CONNOR said, he wished not to go into the Amendment lower down on the Paper, which he knew he would not be in Order in discussing; but to sketch out a counter-proposal to that of the right hon. Gentleman. In doing this he did not think he would be travelling beyond the bounds of legitimate criticism.

THE CHAIRMAN: The hon. Member is not out of Order so far as he has gone; but he would be going too much into detail were he to read these 10 new rules.

MR. T. P. O'CONNOR said, he would not read the new rules after this warning; but would content himself with shadowing them forth. He wished to place political prisoners to be arrested under this Bill in a category of persons entitled to better treatment than any other class of untried prisoners. As to the proposal to give the Lord Lieutenant power to make such modifications as were desirable, he was disposed to accept the concession; but he would point out that it really did not help them very far, for they must remember there was a Lord Lieutenant at the time Dr. M'Donnell made his recommendations, and there was a House of Commons to report to; but of what avail were they? Of what avail was freedom of discussion in the House of Commons?—a freedom far greater than that now enjoyed, for these new Rules restraining the action of hon. Members had not been passed. He did not feel that he and his hon. Friends would be justified in accepting the proposal of the Chief Secretary as affording a sufficient guarantee that political prisoners under the Act would not be subjected to such disgraceful cruelties as had been perpetrated in the past, and which had created such a bitter feeling in Ireland. He would appeal to the generosity of the right hon. Gentleman. There was no lesson that had been more clearly taught by history than that anything like cruelty or want of generosity to political prisoners brought a Nemesis to those who practised it. He would go to a neighbouring country, and declare that the strength of the revolutionary element now to be found in the streets of Paris was largely due to the opinion many people entertained that New Caledonia had been the theatre of great horrors and cruelty in the past. He would urge the Government to avoid the sowing of a new harvest of discontent amongst the Irish people, and a stronger desire for the separation of the two countries.

MR. GIBSON considered that the Chief Secretary had been very wise and prudent in moving the Amendment, for the Bill would have left the persons who would be arrested under the Act subject solely to the rules and regulations of the Prison Board. If it was reasonable that powers should be given to the Lord Lieutenant to arrest suspected persons on his own discretion, the same high person should, under the same Act of Parliament, be allowed an equal discretion to regulate and control the treatment of the persons he himself caused to be arrested. It was wise on the part of the House to trust this discretion to the Irish Executive, and to arm them with the fullest power to provide that the persons arrested should not suffer unreasonably in the slightest degree. The power was contained, not exactly in the same words, but entirely in the same substance, in the Westmeath Act of 1871; and if the provision contained in that Act had been introduced into this Bill it would have saved a great deal of time yesterday and to-day. He did not wish to discuss the 10 rules the hon. Member for Galway (Mr. T. P. O'Connor) had hinted at, or attempted to shadow forth, although he should like to refer to a couple of points that hon. Member had referred to. The hon. Member had given a long list of names of persons whom he had said had died in prison, or in consequence of prison treatment. The last statement was obviously a very general one and rather vague, and the list given did not appear to rest on anything like a very certain authority; but he would not now question its accuracy. He (Mr. Gibson) was familiar with the case of one of the persons on the list, Sergeant M'Carthy, with whose name the House was familar. He was not arrested under any Act analogous to this; but was taken up on a specific charge, tried, and sentenced to penal servitude; and this case, with several others in the list, no doubt, was entirely outside the analogy of imprisonment such as prisoners arrested under this Bill would be subjected to.

Mr. T. P. O'CONNOR said, he had only quoted the case as showing the grounds for the bitterness of feeling in Ireland with regard to the treatment of political prisoners.

Mr. GIBSON said, no doubt people who had undergone penal servitude entertained bitter feelings against it; but it was well that the Committee should bear in mind that the long list the hon. Member had read out—and 29 cases of persons who had died in gaol, or from the effects of imprisonment, appeared to him a long list—was not altogether composed of persons who had suffered through imprisonment in the slightest degree analogous to that to which people arrested under this Bill would be subjected. The cases of hardship and suggested grave inconvenience to persons subjected to this kind of legislation, and to which reference had been made, had all occurred under the Act of 1866. Imprisonment took place under that Act; but there was no such a clause in it as that contained in the present Bill providing that the arrested persons should be treated as untried prisoners. This made a clear and distinct difference, and any attempt at a contrast must, therefore, fail. He was glad that justice had been done by a recent speaker to the memory of the noble Lord who was Chief Secretary for Ireland during the latter part of 1866—namely, the late Lord Mayo. At that time he (Mr. Gibson) was not very well conversant with public life; but he believed the noble Lord entered the Office some time in August, 1866.

Mr. GLADSTONE: In June—at the time of the change of Government.

Mr. GIBSON said, the noble Lord entered the Office about the middle of 1866, and had only a short time wherein to apply himself to its duties before April, 1867. It appeared, however, that within six months he had so completely investigated all the charges brought under his notice that he had practically satisfied Dr. M'Donnell that no further real cause for complaint existed. He should be glad if the Committee understood clearly that even in 1867, under the then legislation, which contained no provision for the treatment of arrested persons as untried prisoners, the grievances pointed out were examined into by the Executive as fully as possible; and the late Lord Mayo conducted himself in a way to merit the words which had been spoken of him in the House during that debate.

Colonel COLTHURST wished to impress upon the Government the necessity for proceeding with great caution in this matter. Dr. M'Donnell's Report was made in April, 1867, and in the course of that year a person whom he (Colonel Colthurst) only saw yesterday was arrested on suspicion and confined in Kilmainham Prison, where he suffered hardships certainly far greater than those to which the prisoners then in Mountjoy Prison were subjected. After Dr. M'Donnell's Report Kilmainham Prison, of course, was under the control of the Visiting Committee. The person of whom he spoke was in solitary confinement for 22 hours out of the 24, and had only two meals a day, and these were insufficient in quantity. The man, after a time, was transferred to Mountjoy Prison, and there he reaped the benefits of the change recommended by Dr. M'Donnell and carried out by Lord Mayo. At Mountjoy he suffered no hardships except those inseparable from his position. What he wished to point out was that in spite of Dr. M'Donnell's representation, and the humanity and energy of Lord Mayo, it was possible, long after reforms were carried out at Mountjoy, for hardships to exist at Kilmainham. The Committee would, therefore, see how necessary it was to restrict the powers of the existing Visiting Committees, and leave nothing whatever to their discretion.

Mr. DALY wished to ask a question as to how the dietary system would practically work. It was understood that a liberal dietary was allowed to untried prisoners when they were in a position to pay for it; but the majority of persons who would be arrested on suspicion of "high treason, treason-felony, or treasonable practices" would not be able to find the necessary funds. They would be mostly clerks; men of very fair education, but whose earnings had never amounted to much, and who, as they had wives and families, had never been able to put by much for a rainy day. They would be accustomed at home to a fairly liberal dietary; but when arrested neither they nor their wives would have a pound in their pockets, and their incomes would be stopped on account of their inability to attend to their ordinary employment. What use would it be to concede to such men permission to have a liberal dietary on paying for it? The Government took most arbitrary power for arresting people; and why, therefore, should they not improve the condition of detention? If they considered the emergency so grave that they were bound to override the ordinary laws of the country and invade the Constitution in their manner of arrest, it would not be a very great stretch of authority for them to invade the prison rules, and to extend the concession to the class of persons he spoke of, allowing a liberal dietary to those who were accustomed to it, but who were unable to pay for it during their enforced idleness. They would be doing a great injustice if, merely upon suspicion of crime, they deprived men of their ordinary conditions of air and exercise, and took away from them also their accustomed dietary. He was glad to see that there was some idea dawning upon the mind of Her Majesty's Government that the resistance the Irish Members had felt it their duty to offer to the Bill had not been so unreasonable as they at first supposed. He had failed to catch the right hon. Gentleman's meaning as to the 14 days within which the regulations must be laid before Parliament.

MR. W. E. FORSTER: I believe it will be on the Table of the House within 14 days.

MR. DALY said, he had had in his employ men arrested on a charge of treason and treasonable practices, who were in receipt of salaries of from £150 to £200 a-year. They had been accustomed to a good diet all their lives, and he was quite sure that imprisonment such as was contemplated under this Bill would be fatal to persons of that class.

MR. GRAY said, he should, under other circumstances, be perfectly ready to accept the assurance of the right hon. Gentleman the Chief Secretary, and content himself with the belief that by-and-bye satisfactory rules would be framed by the Lord Lieutenant which would meet the justice of the case. But he did not see how he and his hon. Friend could accept any assurance of the kind in the present case, because the right hon. Gentleman was bound to remember that they were acting in the House of Commons as trustees for others; and, no matter what might be the philanthropy of the right hon. Gentleman and the Lord Lieutenant, they could not give up their individual belief that rules of a satisfactory character should be embodied in the Bill. Very little time need be spent over the matter, as the regulations could be very rapidly drafted. But the right hon. Gentleman feared they would give rise to a long discussion; but did not want to bring up rules which required to be discussed at great length. If the right hon. Gentleman would consent to embody these modifications of prison rules in the Schedule of the Bill, he would not find himself mistaken in relying on the assurance that they should not be made the subject of unnecessary discussion. The right hon. Gentleman did not appear to think their assumption that one-half the persons taken up would be innocent was a correct one; but he was bound to remember that the assumption upon which they were all strictly entitled to be treated was that they were all innocent. For the purposes of arrest he might assume their guilt; but with regard to their treatment afterwards he was bound to assume that they were innocent; for the suspicion against any person arrested under this Act would not be equal to the amount of suspicion which would justify his arrest for purposes of trial; and, therefore he should be better treated than prisoners awaiting trial. It came to this. The right hon. Gentleman did not recognize this in the Bill, although he recognized it personally. He (Mr. Gray) asked whether, in their representative capacity, they were to leave all that which concerned the Irish people in this matter to others? Were they justified in merely contenting themselves with giving to the Lord Lieutenant not a direction, but a permissive power to frame these rules? They were bound to press the Government to embody them in the Schedule of the Bill; and he believed if the right hon. Gentleman consented to that he would not lose by the arrangement, because he could rely that the rules would not be made the subject of dilatory discussion. If he did not consent to that, would he place the Committee in possession of the rules drafted under the Westmeath Act? because he proposed to adopt a procedure similar to them. [Mr. W. E. Forster: I alluded to those rules yesterday.] They would certainly require some investigation. If they were to have a Bill so vague as this, and if the Government would not consent to embody the rules in the Schedule of the Bill, it was imperative that they should proceed with their Amendments. The right hon. and learned Gentleman the Member for Dublin University (Mr. Gibson) seemed to think the treatment of untried prisoners was by no means as bad as the treatment of convicts. It was clear, therefore, that he had not read the Report of Dr. M'Donnell, dated January, 1867, six months after Lord Mayo took Office, and who, therefore, could not be absolved from responsibility for the treatment of prisoners named therein. Dr. M'Donnell stated that—

> "These men were subjected to cellular discipline more severe, in some respects, than a convict undergoes, under sentence of 18 months' imprisonment."

He also reported that numbers of men were driven to madness, and that there was a great probability of their committing suicide in consequence of this treatment. The result of these Reports was to secure the dismissal of Dr. M'Donnell, and to bring about modifications in the system of medical attendance in prisons in Ireland, which provided that medical men should in future be resident in the prison—that was to say, they should be nothing more than prison officials, dependent on their salary, and in such a position that they dare not make Reports of the kind made by Dr. M'Donnell. Under these circumstances, to ask that the Amendment should be withdrawn simply in view of rules to be submitted was taking up an unreasonable position.

Mr. W. E. FORSTER: The rules already allow the attendance of medical men.

Mr. GRAY was under the impression that those rules, so far as permission was concerned, were subject to the sanction of the Governor, who could refuse to grant it, and were also subject to modification by the Visiting Committee. If the right hon. Gentleman would read rule 15 he would see that—

> "If any prisoners out of health should desire the attendance of a medical man, the Visiting Committee, if they believe the application is *bonâ fide*, may permit him to be visited by such medical man at his own expense."

In Dublin such a request would not be refused; but in the country places, where the Visiting Committee would probably all be magistrates and landlords, there would be a tendency to refuse the permission, and he was not content to leave the point in doubt. Nor was he content to leave it subject to the permission of the Lord Lieutenant; but thought that the Bill should provide that prisoners had a right to be visited by their own medical attendant, who would be able to give an independent Report. He therefore put it to the right hon. Gentleman, if he wished to meet the justice of the case and enable the Amendment to be withdrawn, that he should undertake to bring up a Schedule of the rules and embody them in the Act.

Major NOLAN pointed out that the Rules of the House were changing from day to day with such rapidity that it might happen that hon. Members would have no opportunity of discussing the rules which the Chief Secretary had promised to lay on the Table in 14 days. The only value of laying Papers on the Table of the House was that it gave power to discuss them, otherwise they might as well be published in the newspapers; and therefore he thought that, before the debate closed, Her Majesty's Government should fix a day for discussing the rules after they were laid upon the Table. He hoped, also, some modification of the prison rules would be introduced in favour of men unable to pay the full amount for their diet. The present rule for first class misdemeanants allowed them to supplement the prison diet with extra articles, and the modification was necessary, because he was told that some men likely to be arrested would be unable to find the whole of their own diet.

Mr. W. E. FORSTER said, the existing rules affecting untried prisoners had been taken as a basis by the Government, with powers to modify them. Her Majesty's Government thought there ought to be better diet, even for those who could not pay; and, for his own part, he had always contemplated that this should be carried out. Hon. Members, however, wished to be assured that the Lord Lieutenant would take care that this was done; but he submitted it would be a long and tedious business to do what had never been done before—namely, to make exact rules of this kind and schedule them with the Bill. He believed that a satisfactory settlement would be arrived at by the Government, who would take the rules for untried prisoners and the "Westmeath" rules as a basis. He had no objection to state his wish to get the best information possible upon this subject, and the first person whom he should consult would be Dr. M'Donnell. With all these materials to aid them, he believed that a good set of rules would be framed; but he was unable, in reply to the hon. Member for Galway, to say that a day would be given for their discussion.

MR. M'COAN had no desire to minimize the value of the concession of the right hon. Gentleman; but he felt forced to point out to the Committee that it was no concession at all. Subsection 2 provided that any person arrested in pursuance of the Act should be treated as a "person accused," and not as a prisoner; but the words in the Westmeath Act and in the prison regulations related to "untried prisoners," and, so far as he knew, a person "accused" of crime had no statutable existence. When he drafted his Amendment, he had not had an opportunity of comparing the prison rules, as for untried prisoners and first-class misdemeanants, and was under the impression that the latter were the best extended to any person in prison. Since then he had compared the rules in question, and his examination of them entirely confirmed the statement of the right hon. Gentleman, that untried prisoners were better treated than first-class misdemeanants. He therefore gratefully accepted the substitution of one set of rules for the other. He presumed to express his own opinion only in saying that he recognized an honest intention on the part of the right hon. Gentleman to carry out the Act in a spirit of humanity. This Bill, however, he had regarded, and should continue to regard, as odious; but if it passed into law the right hon. Gentleman was entitled to the admission that an improvement had been made that would rob the measure of half its terrors. He should, therefore, not vote against the Amendment of the right hon. Gentleman, and would withdraw the Amendment standing in his name.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

DR. COMMINS said, it was with great pleasure that he saw one improvement, at all events, as they progressed, and that was in the temper of the debate. He was sorry to say that hitherto the suggestions which had proceeded from that side of the House had not been received in a spirit of concession. He was glad to find that that temper was now altered, and that there seemed to be a disposition on the part of the Treasury Bench, not only to listen to the suggestions that were made by the Irish Members in the exercise of their duty, but to admit that there might be something in them after all. He was very glad to see this change of tone and temper; but still he was sorry that the amount of concession which had been made so far was not sufficient to satisfy the Irish Members, or to induce them to refrain from pressing further Amendments in the Bill. The concession made by the right hon. Gentleman the Chief Secretary amounted simply to this—it was an addition to the sub-section granting power to the Lord Lieutenant and to the Chief Secretary, if they should think fit, to make some alteration in the rules prescribed for the treatment of prisoners accused of crime and not yet convicted; but unfortunately—and he had listened with great care to the statement of the right hon. Gentleman—there had not been the slightest promise given as to when such an alteration in the rules would be made, or, in fact, whether it would be made at all. It was all very well to take power to make these alterations; and he had not the slightest doubt if the right hon. Gentleman would only pledge himself to make them within a given time that the promise would be given in a good spirit, that the alterations would be made, and that they would be advantageous as far as they went; but the right hon. Gentleman had guardedly avoided saying a single word, and had drawn his Amendment so as not to say a single word, that would pledge the Lord Lieutenant and the Government of Ireland to the making of any alteration whatever. Now, unless there was some pledge given that all the alterations contemplated would be made, and that they would be made contemporaneously with the passing of the Act, or within some prescribed time, the Committee must look at the Amendment of the right hon. Gentleman as entirely illusory; not that he believed for a moment there was any intention on the part of the Chief Secretary, or those who advised him, to throw off further opposition to the Bill by an Amendment which would promise everything to the ear, but keep nothing to the hope; but because in the interests of Ireland he was obliged to canvass the details of this Bill, and to make it as little mischievous as possible, exacting the highest amount of security from the Government that it would be as little mischievous as possible. Unfortunately, the mischief which this Bill must do was quite certain, while the good it might effect was very problematical. Every ground for it was rapidly vanishing and disappearing from under the feet of the Ministry; but the mischief that would result from it was a matter that would certainly follow, and could be calculated from previous experience. He was unable to say whether 500 or 5,000 persons would be incarcerated under the Bill. He did not doubt there would be a large number, and all that the right hon. Gentleman said on the point was that he hoped the number would be as few as possible. They all shared in that hope, and an attempt had been made to get some expression of opinion from the right hon. Gentleman as to the number likely to be incarcerated. All they knew at present was that the number would be very considerable; but whether 400, or 500, or 1,000, or 5,000, they were unable to ascertain. In 1867 more than 1,000 persons were imprisoned without being afforded the opportunity of clearing themselves by trial. If a similar number were arrested and detained for 18 months, an immense amount of evil must be inflicted upon the community, not only upon the 1,000 individuals arrested, but upon an immense circle connected with them by family ties and business relations. Therefore, the evils were certain and must be very great; but the good was very problematical. There might be a certain amount of good in arresting some disorderly persons and checking outrages which they all deplored; but the evil was certain to be very much greater than the good, and it was the duty of the House of Commons to minimize that evil by carefully examining the rules and regulations that would apply to the imprisonment of these people. Already the Irish Members had made a considerable number of suggestions; but, except in regard to the flooring of the cells, not one had been accepted by Her Majesty's Government. They had still a number of suggestions to make; and if the right hon. Gentleman wished the Irish people to have any confidence in his good intentions—and he (Dr. Commins) was bound to say that he had very little confidence in the right hon. Gentleman at present—the Government would display a better disposition, and receive the suggestions that were made to them in a better spirit. Not only had 90 per cent of the Irish people no confidence in the right hon. Gentleman's good intentions, but they absolutely and entirely distrusted them. That being so, he pressed upon the right hon. Gentleman the desirability of showing that his intentions were good; and this he could do by signifying what the improvements were which would be introduced, instead of making mere vague promises. At present they had no guarantee whatever that any improvements at all would be made. Even if the Committee had a promise from the Chief Secretary that the new rules should be prepared with the greatest possible haste and be framed as soon as the Bill passed, judging from past experience, a long time must elapse before they could be put into force. The Prisons Act came into operation in 1877; but the new rules introduced, under that Act were dated some 11 months later, on the 22nd March, 1878. Supposing that the same amount of speed was displayed in this instance—and he was not sanguine enough to hope that, in a mere matter of humanity of this kind, the Executive would be induced to push forward—still 8 or 10 months would elapse before they would be likely to have real working rules framed under this new power such as the necessities of the case would require. In running his eye down the prison rules, as they now existed, he saw they were of such a character that they would necessitate entire revision before any alteration could be introduced. It would be impossible to construct special rules without revising the whole of the existing rules, and seeing how far they would be consistent with the rules in force. In fact, it would be necessary to produce a new Code. Therefore, while giving the Government every credit for the best possible intentions in hastening the matter, he ventured to say that they could not produce their new rules sooner than six months. If they were not produced before six months it would not be in the power of the House to discuss them, no matter how far they might not satisfy the object of the Amendment now proposed in the Bill. He was sorry to say that a good many hon. Members, in the course of the debate, had manifested a spirit which went far to show that nothing could be too severe to satisfy them. No matter how severe or how harsh the rules for carrying out the Act might be, they would still fall short of the desires of some hon. Members. Therefore, all that might follow from placing the new rules on the Table might be that some hon. Gentleman might object to them if they provided the slightest mitigation of the severity with which it was thought these unfortunate persons ought to be treated. Under those circumstances, he should certainly expect from the right hon. Gentleman the Chief Secretary something more tangible than the promise he had made in regard to the new rules. If the right hon. Gentleman would not adopt the suggestion made by the hon. Member for the City of Galway (Mr. T. P. O'Connor), he might certainly do a great deal towards obviating the necessity for further discussion upon these rules. There was one suggestion which he would throw out for the consideration of the right hon. Gentleman. In all the gaols in Ireland—certainly in every county gaol—there was a debtor's quarter and a debtor's department. Under the new law imprisonment for debt, except under County Court process, was, practically, abolished, and the quarters set aside for debtors were lying idle. He believed they would provide ample accommodation for all the persons likely to be arrested under this Act, and with a slight alteration the accommodation afforded in the debtors' quarters would, he thought, enable the right hon. Gentleman to consult his own instincts of humanity, and mitigate, to a large extent, the prospective horrors of a prison to these unfortunate people. There might, in this case, be a large common room provided, as had been customary in the debtors' gaols, where the prisoners might meet for several hours during the day and amuse themselves with rational conversation. His suggestion would avoid the 22 hours of solitary confinement which would be necessary if the prisoners were detained in the criminal portion of the gaols, where they must be in small cells without any comfort. Prisoners awaiting trial were allowed intercourse with each other, and so the innocent were contaminated by the guilty. If those prisoners to be arrested under the new Act were sent to the civil side they could have larger rooms and better accommodation, and there would be no necessity for solitary confinement, followed by injury to health, and possibly insanity. Thus one of the great objections to the existing rules for untried prisoners would be removed; and he pressed the Chief Secretary, acting on the spirit he had displayed to-night, to assent to the making of new rules, and to promise to lay them on the Table within a certain time. He also suggested that the word "shall" should be substituted for the word "may," which would not have the same force as "shall." It was said that the new Act was to dispense with the ordinary Courts of Law; and, although, according to a decision in "The Queen and the Justices of Oxford," "may" would be imperative on the Lord Lieutenant and the Chief Secretary, it was of enormous importance to satisfy the public mind. More confidence would be felt if the Amendment was altered to that extent, and the opposition to the Amendment would be withdrawn.

Mr. FINIGAN would be happy to accept the Amendment if he could persuade himself that the people coming under the Act would be treated according to the intentions of the Chief Secretary; but he was painfully aware that the Act would not be read as the right hon. Gentleman intended. It would be read according to the exact letter; and, therefore, in whatever way the Act was to take effect it should be a complete and full document before it left the House. It was contrary to the spirit of ordinary law, against the spirit of justice, and against all the liberal professions of the Government that any promises should be accepted which were not committed to paper. The Chief Secretary had, very kindly—very kindly in a political sense only—considered that the prisoners under the Act should be subjected to the rules for prisoners awaiting trial, and that those rules should be somewhat modified in favour of the unfortunate prisoners arrested under the Act. He should be very happy to agree to that if the right hon. Gentleman would use his influence, which ought to be, and which was, paramount in Dublin, to cause the Lord Lieutenant to submit to him, and through him to the House, a copy of rules which could be scheduled when the Bill came up on Report, or on the third reading. When urgency had been voted, and when the Committee was actuated by that urgency, it was neither a good excuse or plea that the Lord Lieutenant could not then consider the Schedule; and he failed to see why the Chief Secretary should ask them to leave it to be considered by the Lord Lieutenant afterwards. What would be the use? The Lord Lieutenant might consider it in this way. He might modify one or two of the rules under existing Acts, and might consider that quite sufficient; and when the copy of those rules so modified came before the House it would simply come as a dead record, and the Irish Members would have no opportunity of raising any special debate upon it or of altering it. They were asked to give their assent to a mere copy being evidence; but they would have no opportunity of altering the rules, or rendering the treatment of prisoners more humane. According to the rules under which it was proposed to place the prisoners they would be kept apart from each other; but as the object of the Bill was prevention, and not punishment, there ought to be no need of such a provision. The Government ought to see that that provision in the existing Act was taken away, and to give some definite written pledge that that would be the case. Then there was another matter. The Chief Secretary had gone a very long way to meet it; but they wanted to know whether, if a poor man was arrested, his food would be of a nature to enable him to live, not as an ordinary prisoner, but as a person detained under reasonable suspicion only. Then he did not find anything about exercise; but he did find that prisoners would be confined in cells—he could not call them rooms, for some of them were of a very antique fashion, and were not built when even modern and advanced ideas of the type put forth by the Chief Secretary were in vogue—and he wanted to know what exercise those men would have? He did not wish that to depend on the whim of any Governor of a prison in Ireland, but laid down in a distinct provision approved by the Committee. The people in Ireland much preferred to be ruled, even in the matter of imprisonment, by the feeling of the House of Commons rather than by officials in Ireland. He would sooner intrust the case of a political prisoner in Ireland to the House than to Irish officials in Ireland; for they were bound by what they called precedents, and what they called system, and by the maintenance of what they called law, and what they called order. He wished the House to have a full and complete view of the whole system by which the Lord Lieutenant was to modify the rules, and that could not be unless the rules were laid before the House. On the ground of justice, it was absurd to ask Irish Members to intrust a man, who might be arrested, to the ideas of the Lord Lieutenant or the whim of Irish officials. If the rules were clearly and explicitly brought before the House, he was quite sure some justice would be obtained, and clauses would be introduced which would be, at all events, humane and comparatively just under the circumstances. With regard to the question of food, he believed the Chief Secretary intended to give way entirely; but he thought that, even from a legal point of view, the Chief Secretary's intentions would appear better, and inspire more confidence if they were formally put before the House, and passed into actual law by the House. It appeared also that prisoners, under the present rules, were allowed paper and books, provided they were not of an objectionable kind. What the arrangement in that respect was he did not know; but he considered that the House ought to know what books would be allowed. He should like to see Lord Macaulay's works allowed, and he should not object to the reading of Voltaire, or to anything philosophical; but Irish officials ought not to have the selection of the literature to be allowed. Then, as to visiting, he thought it should be distinctly laid down whether prisoners might receive visitors every day, or only on one day a week. The quarter of an hour allowed for a visit was absurd; it was no time for talking over business, or whatever else might be allowed to be discussed. He found, further, that prisoners were to be subject to the general rules for the time being in force for the government of prisons, except in so far as they were inconsistent with the special rules. It would be inconsistent for the Irish Members to trust to what the Lord Lieutenant might do in regard to such prisoners, even in the face of that very statement. They ought to know what were the special rules relating to such prisoners, so that they might know whether they were inconsistent with the existing rules or not. The Government, in point of fact, seemed to have made up its mind, in the first instance, to stick to the original Bill; but they ought to do something to make the condition of the prisoners perfectly compatible with justice, and, at the same time, with the principles of that humanity which had distinguished—or the enunciation of which had distinguished—the speeches of Ministers when speaking on kindred questions outside the Bill. It was absurd to ask Irish Members to accept promises and intentions; they could only accept what was forced upon them by the Committee; and it was only just that they should have the full Bill, with all the details with which it was to be carried out, placed before them, when they were asked to give their confidence and trust to that officialism which had always been against the prisoner, and had destroyed all confidence in Judges and law in Ireland.

Mr. CALLAN thought the Irish Members had some reason to complain of the Advisers of the Chief Secretary for not having placed the Amendment on the Notice Paper. The Bill had been before the House for a considerable time; and the question of discipline, which had now arisen, had been long enough before the House for the Attorney General and Solicitor General to have made up their minds whether or not they would advise that the Amendment should be placed before the House. If it had been placed on the Notice Paper yesterday, Members would have had time to consider it. When it was first proposed he thought it was fair, and gave them much of what they were contending for; but, on further examination, he found that was not so. It proposed that the Lord Lieutenant might, from time to time, subject to the special rules for the time being in force, make modifications of the rules in existence. But no intimation had been given as to what the nature of the rules would be. Yesterday the Government had opposed an Amendment which would have given prisoners boarded floors and secured them against the cold of a rigorous winter; and having done that, of course they would not, under the new rules, take any special means to insure that comfort to the prisoners. Although he was an Irishman, he was glad to say that the prison rules in Ireland seemed to be drawn up by what he would call an Irishman, or, perhaps, by another name more applicable in this country. They were very misleading. There were four special rules providing for food, clothing, and bedding; but in none of them was a bed mentioned, and it was necessary to make a special rule on the subject. Dr. M'Donnell had said—

> "When visiting the punishment cells I found a prisoner in one of them looking very miserable. He was stooping forward, his extremities were cold, he shivered, and his teeth chattered. He had the appearance of a man under serious illness; indeed, the hues of his face looked like Asiatic cholera. He had been left on the floor without bed or bed-clothes, except a rug weighing 4 lbs., during a month when the cold was several degrees below freezing-point."

Mr. Brown, who was then chief warder, stated in a letter to Dr. M'Donnell that he had himself seen water freeze in a prisoner's cell at Mountjoy. Here were rules which had no reference to bedding, and yet the Chief Secretary had opposed giving the prisoners boarded floors and suitable temperature. Would he promise that those things should be given? Would he undertake that the temperature should certainly not be below freezing-point? Then there was another matter. The Chief Secretary had stated that the Bill was only to apply to ruffians and village tyrants; but there was no doubt whatever that it was meant to apply to persons occupying a far different sphere. There was a rule providing for visits to, and communications with, prisoners. In 1879, a member of his Circuit in Ireland—the North-Eastern Circuit—was arrested and imprisoned in Sligo gaol as an accused person. He placed himself in communication with that gentleman on matters which it was desirable should not become known to other parties; but he found that his letter had been opened and initialed by the Governor; and the reply, which was of an essentially private nature, was initialed on each page. The Governor had expressed his regret, but explained that he was obliged by the special rules to open letters. Though a political prisoner, the Governor said he was bound to read the letters coming to him, and the letters he sent out. Had they any promise that the matter would be attended to in the special rules? Then, as to exercise, there was not the slightest reference to it, although it was one of the matters to which attention was drawn by Dr. M'Donnell; and, with regard to photographing, so far as he could see, there was no exception made in the case of prisoners under this Bill—seemingly, copies of their photographs would have to be sent to Mr. Howard Vincent of Scotland Yard, and to Dublin Castle. Would any promise be made that this indignity would not be put on the prisoners? For as they did not belong to the criminal classes, there could be no such necessity as there was in ordinary cases for copies of their photographs to be circulated on their going in and going out of gaol. Then, would any pledge be given as to the places in which persons arrested under the Act would be imprisoned? Would they be sent to local prisons or to Mountjoy; and, in the event of their being sent to the former, would such prisons be visited by Visiting Committees, or would any individual from outside be allowed to go in to inspect them? Under the prison regulations there was provision made for the inspection of local prisons; but would there be any officials in Mountjoy Prison to interest themselves on behalf of the prisoners? One gentleman in that prison had taken some interest in the treatment of the prisoners, and what was the treatment he received? It was Dr. M'Donnell; he made a representation as to the condition of the prisoners, which representation was suppressed, whilst he himself was dismissed from the post of visiting physician to the gaol. He held in his hand another charge against Mountjoy—namely, that although during the 10 years Dr. M'Donnell was the visiting physician, there was never a charge made that any prisoner died from neglect, the resident medical officer who succeeded him had not been installed many weeks, when a coroner's jury empanelled to pronounce upon the death of a prisoner accompanied their verdict with a censure upon the medical officer. Was that medical officer dismissed? No; he still flourished at Mountjoy Prison. Dr. M'Donnell, who complained of the conduct pursued towards these prisoners, was dismissed; and what did this gentleman himself say about it? Why, that his differences with his superiors arose not from want of any attention on his part to the sick, but because, in the honest discharge of his duty, he leaned, perhaps, too much to the side of humanity. There was no danger that anyone in Mountjoy now would "lean, perhaps, too much to the side of humanity." Reference had been made to the *régime* under which the occurrences reported on by Dr. M'Donnell had occurred. The complaints arose during the administration of a Conservative Government. But what did the Governor of the prison say in his Report to Lord Mayo? He said—

> "With respect to the severe treatment of untried political prisoners, I need not remind your Lordship that you have found a system in force, which had been approved of by the Earl of Kimberley, the Whig Lord Lieutenant of Ireland."

The Conservative Government had only administered the same harsh and cruel rules that had been approved by Lord Kimberley—a Member of the Administration under whom the present Act was to be put into operation. The Committee had a promise—no, not a promise, but a vague intimation—that if they trusted to the Government, the Government would do something for them, or take the power to do something for them. But how could they trust the Government? They were not satisfied as to the intention of the Government to carry out their promises. It was said that a great deal of time would be lost by going into detail on this matter in the Bill; but he did not agree with that. The Law Officers of the Crown could retire, and draw up a set of rules; and if those rules were found to carry out the pledges held forth, he would promise for himself and those with whom he usually acted that they would not move any Amendments—that they would even accept them without a division. At present the Government were holding out promises which they knew very well their officers of prisons in Ireland would not carry out, and that the treatment of prisoners would be the same as it had always been. They would be taking persons from local prisons, where there was a Visiting Committee, to a prison where there was none; and, however much his hon. Friends might object to the local magistracy, he knew too much about them not to feel sure that they would not be parties to the infamous treatment which had been referred to. The magistrates might certainly view these prisoners with disfavour; but they would not treat them with cruelty. It was in Mountjoy where this kind of treatment might be adopted—in a prison from which they had dismissed the only official who ever leaned to the side of humanity, and into which no outside individual would be admitted for the purpose of inspection. Unless the Government would inform them what the character of the rules would be, he hoped his hon. Friends around him would insist upon a division.

MR. GREGORY said, the right hon. Gentleman the Chief Secretary to the Lord Lieutenant had made a conciliatory proposal in a speech of conciliation, and what had been the result? The Committee had been engaged in this discussion for three hours, and no progress had been made. Looking at the spirit in which the Amendment had been received, if he might tender a word of advice to the Government, he would recommend them to withdraw the proposal. To insist upon it would only be to give rise to further Obstruction, and——

MR. FINIGAN rose to Order. He wished to know whether the hon. Gentleman was in Order in attributing Obstruction to hon. Members.

THE CHAIRMAN: The hon. Gentleman alluded to a policy of Obstruction, and that is a Parliamentary term, and is specially punishable by a distinct Rule of the House. He is quite in Order in his allusion to it, for he did not assert that particular Members were engaged in it.

MR. CALLAN also rose to a point of Order. Obstruction was a Parliamentary offence for which an hon. Member could be named and suspended; and he wished, therefore, to know whether the hon. Gentleman (Mr. Gregory) was in Order in charging a Member or Members of the House with a crime so punishable?

THE CHAIRMAN, without responding, called upon the hon. Member for East Sussex to proceed.

MR. GREGORY said, he had concluded his observations on the point of Obstruction. He would remind the Committee that they had passed all the material portions of the measure which was now sufficient for the protection of life and property in Ireland. It gave all the necessary powers to the Lord Lieutenant to preserve law and order, and what they had now to deal with were merely the qualifying clauses. He ventured to think it might be expedient for the Government to drop those further provisions and to let the Bill rest where it stood. All that was required to make the measure efficient was the mere definition of the word "prescribed district," which was contained in a subsequent section. That might be added——

THE CHAIRMAN: The hon. Gentleman is not, at present, speaking to the Amendment.

MR. GREGORY said, he would confine himself to this—to the suggestion that the Government should drop the Amendment and bring the discussion to a close, allowing the Bill to stand in its present form.

MR. HEALY said, the Committee had been going on smoothly enough—["No, no!"]—hon. Members who were not present might traverse his statement; but he considered the Committee was going on smoothly enough until the hon. Member who had just sat down struck a note of discord. So far as he was concerned, he would rather not take anyone's word for the treatment of the prisoners; and the hon. Gentleman (Mr. Gregory), who had a large practice in conveyancing, would probably be the last man to take anyone's word without seeing it in black and white. The right hon. Gentleman had make a concession as to boarded floors and the warming of cells, which was a relief to the minds of the Irish Members, and they thanked him for it; but then, with a certain amount of effusion, the Chief Secretary had gone on to propose an Amendment which really meant nothing at all. The Amendment said—

"Provided, that the Lord Lieutenant may from time to time, if he shall think fit, make regulations modifying such special rules, so far as they relate to persons detained under the Act;"

but the Lord Lieutenant, if he did not think fit, would not make those regulations. This was a case in which the Lord Lieutenant, most probably, would not think fit. The right hon. Gentleman had placed the Lord Lieutenant in the place of the Visiting Committee, because, as he had said, the Irish Members viewed the Visiting Committee with suspicion; but from whom would the Lord Lieutenant get his information? He would get it from the Visiting Committees; therefore, the concession was no concession at all, for these Committees would tell him "Everything is right and lovely!" just as they told the noble Lord's Predecessor in 1866 and 1867. If the right hon. Gentleman would make some real *bonâ fide* concession he would find that it would very materially save time and shorten the labours of the Committee. The Irish Members had found that there was something to be gained by pegging away at the Government. It was not a pleasure for them to act as they were doing, although hon. Members opposite seemed to think that they enjoyed this sort of game. He, for one, did not enjoy it; and if the right hon. Gentleman would make them some material concession, he, for his part, would be willing to let the Bill go through without further criticism. The Amendment also said—

> "Any regulations made by the Lord Lieutenant under this provision shall be laid before both Houses of Parliament within 14 days after the making of the same if Parliament be then sitting, and, if not, then within 14 days after the next meeting of Parliament."

That seemed fair and *bonâ fide* until the right hon. Gentleman was asked whether hon. Members would have an opportunity of discussing these rules, and his reply was, "You shall not discuss them." ["No, no!"] At any rate, he said he would not guarantee that they would have an opportunity of discussing them. He would not undertake to give them facilities. They knew what kind of work the Government were carrying on now, and that they would get no facilities. True, the right hon. Gentleman had said, in the course of his remarks, that if it was found that general dissatisfaction was felt with the rules they should have a discussion; but how was "general dissatisfaction" to be made manifest? The right hon. Gentleman did not read the Irish papers. Perhaps he read *The Irish World;* but that was an American paper, and it was not likely that general dissatisfaction with these rules could be judged from its columns. The right hon. Gentleman had told the people the Bill would deal with "dissolute ruffians" and *mauvais sujets;* how, then, could it be expected that Earl Cowper would be very careful about the well-being of such characters? He would not be careful about their well-being. He (Mr. Healy) should, however, be happy to call some of the persons who would go to prison under the Act his friends; some of them, indeed, might be near and dear to him, and he did not wish to see them treated as "dissolute ruffians" and *mauvais sujets.* He wished to have the regulations in black and white, for the Lord Lieutenant would not know these people, and would not know how they were treated. To show what sort of treatment these prisoners were likely to get, the Governor of Kilmainham, in 1867, who was very well known, and who was spoken of amongst the prisoners as "Old Gorilla"—he did not know whether he was still alive, and, although he would not say he hoped he was not, he would say he hoped he had been sent to some other duty—used, it was said, to give the prisoners under his charge for their daily food "a piece of brick and a pint of Liffey water." The "brick," he imagined, would be a kind of bread, and as for the Liffey water, anyone who knew the river in question would know the water from it—a water containing any amount of *animalculæ*, and other interesting specimens. It was from such characters as this "Old Gorilla" that the Lord Lieutenant would obtain his information. He would have to rely upon his officials; and the entire information he received would be filtered through such characters as this. Another reason he wished to have the prison rules in black and white was this. Persons would be sent to prison under various degrees of criminality; and the right hon. Gentleman and his friends the Visiting Committees—the magistrates—might, if they got hold of a particularly "dissolute ruffian," be inclined to treat him worse than the other prisoners. Undue harshness might be shown to some, and undue favour to others, unless they had the regulations printed in the Bill in black and white; and he would, therefore, urge on the right hon. Gentleman, if he wished to inspire confidence in those who had been criticizing the Bill up to the present, to agree to some more satisfactory Amendment than that which he had proposed. There was another thing which would show how entirely the right hon. Gentleman was in the hands of the prison officials. It had been said that Dr. M'Donnell, on making a certain representation, was discharged. [An hon. MEMBER: No; made to retire.] The Government prevented Dr. M'Donnell from preparing any further Reports by making him retire, and appointing in his place a resident surgeon; and no guarantee had been given that prisoners under the Act would be allowed independent medical attendance. The Chief Secretary had rather twitted the hon. Member for Carlow with the fact that he was unacquainted with the prison rules, and had said that each person could have his own doctor if the Visiting Committee permitted it. Yes; but the Irish Members did not believe in the decisions of these Committees as to the treatment of prisoners. In 1867 a man died in prison in consequence of the treatment he had received — a man arrested under the Coercion Act—and a coroner's inquest was held on him. There were two coroners in Dublin at that time, one of whom was known to be independent, while the other was equally well known to be a Government tool. They used to take duty week and week about, and the week the man died the Government tool happened to be off duty. The independent coroner ought to have held the inquest; but he—Dr. Whyte, whom he was happy to say was still doing duty in Dublin—was not sent for. They sent for the Government tool—his namesake, another Mr. White — well knowing that he would obtain a verdict in favour of the officials, which he did. That was the sort of thing that would be done again if the regulations were not down in the Bill in black and white. It was "A far cry to Loch Awe;" but it was a farther cry from Richmond Prison to the Lord Lieutenant at Dublin Castle. It would be a long time—if ever it happened at all during his Lord Lieutenancy—before Earl Cowper would hear of the complaints of the prisoners from the muffled Reports of the prison officials. The Chief Secretary said there would be no time to discuss these rules if they were placed in a Schedule; but the Irish Members were in no hurry, and if the right hon. Gentleman was not, surely the question of the life and death of these unfortunate prisoners was a matter worth spending an hour or two over in that House. If 29 people had been killed and five driven to suicide or into insanity by imprisonment of this kind in the past, the right hon. Gentleman should be ashamed now to urge this plea of want of time. Time could be found for the discussion of far more trivial matters; and on a matter of this sort, which might concern hundreds of people, to say that the House of Commons would not find time was to say that the House of Commons was unfit to perform its functions. If the House of Commons would not do its duty it was time for the Government to allow them to manage their own affairs at home. It was said that, in all probability, prisoners would not be confined in local prisons; but he did not think it was a concession to compel a person's relatives and friends to travel 200 or 300 miles to the prison in which he might be confined. Let the Government give an assurance that prisoners would be confined in their own localities, and that they would be provided there with suitable gaol accommodation. The Irish Members had the interests of their constituents at heart; and, besides that, they might all be in gaol themselves before long, therefore they urged on the Chief Secretary to come forward and make some substantial offer on these matters.

MR. A. M. SULLIVAN thought it would be desirable to shorten the discussion; therefore, he would make a suggestion to help the right hon. Gentleman—and he saw the Chief Secretary smile, incredulous that he (Mr. Sullivan) would do anything to help him; but, perhaps, after the proposal had been stated, the right hon. Gentleman would see that some good might come from such a quarter. The Irish Members, on these occasions, held that seeing was believing. They did not like "a leap in the dark," to quote a phrase once used by a Prime Minister; they wanted to have an assurance what the rules would be. Therefore, if he would be in Order, he would move an Amendment enabling the Lord Lieutenant to make regulations within 14 days of the passing of the Act and thereafter. He thought 14 days after the passing of the Act would be a reasonable time in which to prepare the amended rules. If the intentions of the Treasury Bench shadowed forth that night could be put in shape—if they could have the rules placed before them in this way, a great deal of the objection which had been raised would disappear. He would ask the right hon. Gentleman to assent to the Amendment, and to say that within 14 days from the passing of the Act the amended rules should be laid before Parliament. There was no reason why the Lord Lieutenant might not to-morrow begin to prepare the rules, as the Government knew very well and could determine when they would pass the measure.

Amendment proposed to the proposed Amendment,

After the words "Lord Lieutenant," to insert the words "shall within fourteen days from the passing of this Act, and hereafter."—(*Mr. A. M. Sullivan.*)

Question proposed, "That those words be there inserted."

Mr. T. D. SULLIVAN wished to know, in reference to this Amendment, whether the proposed or suggested rules and regulations to be made by the Lord Lieutenant would be in favour of the prisoner at all? He wanted to know what guarantee they had that the rules would not amount to another Coercion Act? They were aware of this fact—that the character of eminent politicians, as humane men, was rapidly deteriorating among them; and they had no guarantee whatever as to what the nature of these new regulations would be when they emanated from the Lord Lieutenant. In the first place, they had no guarantee that the Lord Lieutenant would frame them at all; and in the next, that if he did so, they would be any improvement upon the present state of things. Only a few months ago there were hundreds and thousands of men in Ireland and England who would not have believed it if anybody had told them that the present Government would now be passing a Coercion Bill for Ireland. ["Question!"] That was the Question. He wanted something in print and writing to assure them that these new suggested rules and regulations would not be a new Coercion Act for the prisoners.

Mr. BRADLAUGH was extremely sorry to hear the speech which had just been delivered. The guarantee they had that the new Regulations could not be in the way of coercion was that they were to be based on the Prison Regulations of 1877; and, therefore, they could not be any more coercive than the latter were. In the next place, they had a distinct statement from the Government that it was intended that any Amendment should be in the nature of amelioration, and that such amelioration should be especially directed to avoid any recurrence of the evils pointed out by Dr. M'Donnell. He could not help saying that he was utterly opposed to this Bill, and had given it his opposition all through. He trusted, however, that he had given it an opposition which had been much more effective than that which had been offered by some hon. Members on the other side of the House. The right hon. Gentleman the Chief Secretary for Ireland said that he intended to meet the case of those prisoners who had no means by providing them with the same facilities which prisoners who had means would enjoy; and he (Mr. Bradlaugh) must ask hon. Gentlemen on the other side to remember that, although it was their duty to defend the interests of Irishmen, it was also their duty to try and defend these interests in the best possible way, and not, in mere repetition, to occupy nearly three hours and a-half of valuable time, which they had just been doing quite unnecessarily. They drove Members who intended well to think harshly of them. All his hopes and desires were to make this Bill less coercive than it was; but he could not help saying that he had walked into the Lobby again and again *contra son gré* in consequence of the conduct of hon. Members opposite.

Mr. BIGGAR said, the hon. Member for Northampton (Mr. Bradlaugh) had attempted to fasten upon the Members who sat on that Bench the waste of time which had taken place with regard to the Amendment now before the Committee. That Amendment had reference to the treatment of prisoners in gaol; but it must be borne in mind that the Rules were to be applied to men against whom no charge was made, and who had not been proved to be guilty of any crime. The entire responsibility of the delay in disposing of the Amendment rested with Her Majesty's Government. The right hon. Gentleman the Chief Secretary had undoubtedly proposed an Amendment; but he (Mr. Biggar) found that Amendment was exceedingly unsatisfactory, and he would point out why. The Government did not propose this Amendment until after a discussion, lasting many hours, had taken place upon that particular question. If the Government really wished to save time, they would have proposed their Amendment before any of the other Amendments which had been proposed came on for discussion; and if the Government had been really seriously anxious to curtail the discussion on this particular question they might have supplied a Schedule of a satisfactory nature, and not have submitted a proposition which must, in the nature of things, prove most unsatisfactory. He would briefly state why an Amendment of this description was necessarily unsatisfactory. He had had personal experience of a similar clause in two other Bills. The first was the Irish Judicature Bill. It was provided by that Bill that certain Offices which were not required in the Four Courts of Dublin should be abolished.

THE CHAIRMAN: I do not think that the hon. Gentleman can be permitted to go so far outside the Amendment as he is now doing.

MR. BIGGAR said, the provision of the Bill now before the Committee was that authority should be given to the Lord Lieutenant to frame certain prison rules. Now, that was a principle to which he objected; and he wished to give two illustrations to show the reason why he objected. He only intended to give two; and, without going into details, he would simply state what they were and what was the result. The two Bills to which he referred were two Irish Bills passed in the last Parliament by the late Government, and in one of these Bills—the Judicature Bill—it was proposed to give similar authority to the Executive which was proposed to be given in the present Bill. ["Order!"] The Judicature Bill proposed to abolish certain Offices.

THE CHAIRMAN: The hon. Gentleman is aware that he is now giving an illustration altogether outside the Amendment, which is itself wide enough.

MR. BIGGAR did not intend to go into details. All he wished to say was that the provisions of that Bill were rendered absolutely inoperative, because the Executive never carried into operation the power they were authorized to exercise. Now, this was all the detail he wished to go into. He had no desire to waste the time of the Committee; but only to prove that the principle involved in the proposition of Her Majesty's Government was entirely untenable. It was certainly one to which he would never willingly agree. The second Bill was the Irish County Court Bill. ["Order!"] By that Bill power was given to frame and settle the fees; but, instead of diminishing the fees, the result was that they were increased to an enormous extent, and they became very much higher than the Irish Members would willingly agree to if the matter had been brought before them.

THE CHAIRMAN: I have already pointed out to the hon. Member that he is entirely out of Order.

MR. BIGGAR said, he had said enough upon that subject, and would, therefore, not pursue it further. He had shown the disastrous result to the Irish people of giving authority to the Executive to make particular changes. All he would say now was that the Government could very easily, if they chose, between now and to-morrow, supply the House with a Schedule of new rules with regard to the treatment of prisoners. It had been pointed out by the hon. Member for Roscommon (Dr. Commins) that it would be exceedingly difficult, under the terms of the Bill, to frame a new basis for the rules—that it would be a very tedious business unless an entire Code of Rules were set forth in the Schedule, founded, of course, upon the present prison rules. The present prison rules were subject to the modification of the Visiting Committee, and any new rules proposed to be introduced under this Bill must be of a very complicated and confused character. It was well known that the people of Ireland had not the slightest confidence in the Visiting Committee in any part of the country. ["Oh!"] He spoke for himself only; he had no confidence either in the Visiting Committee, or in the present Government, or in any other British

Government; and, therefore, he required to have any concession that was made clearly stated in the Bill. Very great difficulty was found in keeping Her Majesty's Ministers to the exact meaning of the words they used in their speeches; and, therefore, the most satisfactory course would be to place all the details, as far as possible, in the body of the measure. He would, therefore, suggest that these new rules should be framed and prepared to-morrow, so that they might be submitted at the next Sitting of the House, and the Irish Members would then be afforded an opportunity of seeing them, and of stating whether they approved of them. If they allowed Her Majesty's Government to frame Rules on their own responsibility, without giving this opportunity to the House, it was impossible to say whether the rules prepared would be any improvement upon those now in existence or not; and, after all, the question was not so much one for any section of the House as it was for the whole House, because the House of Commons should never consent to delegate its authority in such matters, or, indeed, upon any subject to the Executive. That was a most disastrous principle, and one to which he would never willingly agree.

Mr. DILLON remarked that the hon. Member for Northampton (Mr. Bradlaugh), in his somewhat peculiar speech, said that the rules which the Lord Lieutenant might be empowered to make by the Amendment would be based upon the Prison Act of 1877, and, therefore, could not be more coercive than the rules now existing. He (Mr. Dillon) would not say anything with regard to the speech of the hon. Member for Northampton further than that if the opposition to this Bill had been conducted according to the hon. Member's advice the Bill would have been law a month ago. The hon. Member stated, as a recommendation to the House to accept this concession, as it was called, although he (Mr. Dillon) was not able to see what it conceded, that the rules were to be based upon the Prison Act of 1877. Now, that was what the Irish Members complained of. The original clause in the Bill stated that the prisoners were to be treated according to the rules for untried prisoners under the Act of 1877. They had heard something of these rules already; and he would ask the Committee to consider what these rules were, and what was at present being done under them. By one of these rules all prisoners were required to be kept asunder, and were not permitted to communicate with each other. He believed the argument in defence of this rule was that it was enforced in order to prevent the morals of a prisoner from being contaminated by associating with pickpockets. Now, any man who knew anything of what prison life was, especially when a man was subjected to solitary confinement, would know that the unfortunate prisoner would rather associate with a pickpocket than nobody. The Irish Members had prepared a rough Schedule of general directions, which they had intended to submit to the House, and which would have prevented, if possible, the enforcement of the most obnoxious of the present regulations; but the right hon. Gentleman the Chief Secretary for Ireland was doing what he (Mr. Dillon) never recollected to have been done before in any Committee of that House, and had used his position as a Minister of the Crown to forestall the Amendments already on the Paper, and of which Notice had been given for several days. By those means the right hon. Gentleman had robbed the Irish Members of their right to bring forward the Amendments of which they had given Notice. That, he submitted, was a course of action which might be described, to use the mildest term, as being exceedingly unfair. A strong feeling was manifested in the House last night in favour of the modification of the existing rules, and it had been the desire of the Irish Members to raise the whole question, openly and fairly, in the House; but, instead of meeting the Irish Members in that way, the right hon. Gentleman brought forward an Amendment, of which he had not given Notice, and most unfairly availed himself of the privilege, which the Chairman had decided was a privilege enjoyed by a Minister of the Crown, to put his Amendment in front of those of which Notice had been given by the Irish Members; and, more than that, the right hon. Gentleman had so drawn his Amendment that it would place the whole of the Amendments of the Irish Members out of Order, and prevent them from being brought forward. The right hon. Gentleman submitted his proposition as a concession to the public feeling which had been growing upon this question, both inside and outside of the House. Now, what was the Amendment of the right hon. Gentleman? He said, speaking of the special rules for the time being in force in regard to prisoners awaiting trial, that the Lord Lieutenant might, from time to time, if he should think fit, make regulations for the treatment of prisoners detained under the Act. That was really no concession at all; and, for his part, he (Mr. Dillon) should certainly vote against the right hon. Gentleman's Amendment. In the first place, the Lord Lieutenant might not think fit to do anything of the kind; and, in the second, the Lord Lieutenant had not given them any assurance that rules would be made to meet a great many other objections which were equally important. Further than that, the right hon. Gentleman had simply declined to give them any assurance that if they allowed this Bill to pass into law they should have no opportunity of raising the question again. The real truth was that now, for the last time, could they have any certainty of having an opportunity of bringing the question under the notice of the House. They had no security, if they allowed this opportunity to pass, that this most terrific of all punishments—namely, solitary confinement—would not be inflicted upon all the prisoners who might be confined under the Act. He now came to another matter which was equally objectionable. It was said that arrangements would be made for allowing prisoners to follow their regular trade and employment, such prisoners receiving their earnings after deducting the cost of maintenance. Now, some of the prisoners might be journalists and others earning respectable incomes, and this rule would place it within the power of the Visiting Committee entirely to debar them from the opportunity of earning anything, or, what would have the same effect, would enable them to impose whatever restrictions they thought fit on the exercise of their professional duties. In regard to this, the rule provided that the whole cost of maintenance should be taken out of the earnings acquired by a man in following his trade or profession. This might be a very just provision in the case of a man who was about to be brought up for trial——

THE CHAIRMAN: I must draw the attention of the hon. Member to the fact that at present the Committee is engaged in considering an Amendment moved by the hon. and learned Member for Meath (Mr. A. M. Sullivan); and the hon. Member is discussing an Amendment moved by the right hon. Gentleman the Chief Secretary, and not that of the hon. and learned Member for Meath.

MR. DILLON asked if he was to understand that he was not to refer to the proposition of the Chief Secretary?

MR. ARTHUR O'CONNOR wished to know, as a point of Order, whether, in addressing the Committee on the Amendment of the hon. and learned Member for Meath, the hon. Member would not be also entitled to address the Committee on the original Amendment subsequently?

THE CHAIRMAN: Certainly.

MR. DILLON: By addressing the Committee now I shall not lose my right to address it again on the original Amendment?

THE CHAIRMAN: I simply called the attention of the hon. Member to the fact that he was not addressing himself to the Amendment now before the Committee, but to the original Amendment.

MR. DILLON: If I sit down now, shall I have lost the right to speak on the original Amendment?

THE CHAIRMAN: No; the hon. Member will be able to address the Committee upon this Amendment when it is really before the Committee.

MR. DILLON: Then, if I clearly understand that I can speak on the Amendment of the right hon. Gentleman when that of the hon. and learned Member for Meath is disposed of, I will not pursue my observations now.

MR. ARTHUR O'CONNOR said, he was indisposed to agree to the Amendment of the hon. and learned Member for Meath, and for this reason—he did not think that it could possibly be necessary to take so long a time as was supposed in order to draw up all the rules that might be required for regulating the treatment of prisoners. They saw how quickly new Rules could be manufactured for the House of Commons; and he did not think it would take a longer time for the manufacture of new rules for the treatment of these unfortunate men who had committed no crime whatever, but were only to be detained under suspicion. He would, therefore, respectfully urge upon the hon. and learned Member that he should withdraw his Amendment, because it proposed to allow the Bill to pass the House of Commons before hon. Members would have an opportunity of seeing what were the Rules which were to be introduced. They were told that they might trust the promises and good intentions of Her Majesty's Government; but he failed to see any ground on which Irishmen might be led to trust the promises of any British Government. He did not remember any promise which had been given by the British Government, upon an Irish question, which had ever been kept. He recollected very well, during the last Session of Parliament, that Her Majesty's present Advisers declared— ["Question!"]—if some hon. Member on the other side of the House did not see the relevancy of these remarks he was certain that the Chairman did. He was giving the reason why he declined to trust Her Majesty's Government, and why he had not the faith in them which the hon. and learned Member seemed to have. On a previous occasion they had received an assurance which was not kept. They received an assurance that if any measure of coercion were introduced into that House it would be accompanied by a measure of relief. They had now before them a measure of coercion; but they had no measure of relief. He, therefore, declined to trust Her Majesty's Government on the present occasion. He would reserve any further remarks he had to offer until the original Amendment was before the Committee.

Question put, and *negatived.*

Original Question again proposed.

Mr. DILLON said, it was a sham concession which was being offered by the right hon. Gentleman. If it were accepted, it would entirely withdraw from the control of the House the subject of the treatment of prisoners. The Lord Lieutenant might afterwards make some alterations, or he might make no alterations at all; but the House would be practically without the power of making any improvements in the treatment of prisoners, except the Lord Lieutenant chose to take the initiative. Untried persons confined in prisons in Ireland were treated in a way which amounted to very severe punishment indeed. A case had recently occurred under his own notice, and which, when "Urgency" had passed away, he hoped to bring before the House, of some prisoners in gaol awaiting trial. These persons had been kept from 9 o'clock in the morning without any food whatsoever, and the next morning they were informed they would get no breakfast unless they worked for it. Having refused to work they were kept fasting for 15 hours, after which some food was sent to them by the townspeople. They were locked up 23 hours out of 24; and during the hour of exercise they were forbidden to speak to each other, or exchange any sign of recognition, on pain of being sent to the "black hole" and solitary confinement. That being the condition of untried prisoners under the present rules, it amounted to punishment sufficient, in some cases, to drive men mad, and was a matter worthy the attention of the Committee. But, then, hon. Members believed these things would be looked after by the House. He thought he was giving a sufficient answer to that in saying that the House would not pay the smallest attention to the matter. What proof had they that, when more men were imprisoned, the House would pay any more attention to their treatment when they had loosed their hold of the Bill and the question of prison discipline? He had read an article on the debate in that House last night. *The Daily News* said that no man in England, whether Tory, Whig, or Liberal, desired that those people imprisoned under the Act should be punished, but only that they should be detained to prevent their doing further mischief. If that were true, he could not see what objection the Government could have to accepting a Code of Rules which would be consistent with the safekeeping of the prisoners, and which would save them from being punished under this Act. There could not be the smallest doubt that, under the present Code of Rules, not only would prisoners be punished, but that they would be severely punished. He and his Colleagues desired to submit to the Committee a Code of Rules which they had prepared, which would satisfy them on the question of the treatment of prisoners, and which would put to the test the question as to whether there were in that House hon. Members who desired to punish men detained under the Act. The Chief Secretary had said, although they might frame a set of rules which would be satisfactory to themselves, it would not satisfy every Member of the House. But he contended it ought to do so, unless they wanted to punish the persons detained. The Code to which he referred would not afford to prisoners the smallest chance of escape, or of continuing in the work they had been doing outside the prison. Still, he was bound to confess that it would grant a considerable degree of liberty within the prison, and would remedy a great deal of the suffering experienced in prison life. They had lately heard a great deal of improvements in the discipline of prisons, and the milder treatment of political prisoners during late years. But he would now quote a precedent from the case of political prisoners —not untried men, but prisoners found guilty of a serious offence and sentenced to many years' imprisonment. When Mr. O'Connell and his associates were sentenced they were imprisoned in Richmond Bridewell; and it was recorded that members of his family came to live with him in prison; that persons came every day, bringing fish and fruit; that after a little time the prison was turned into something like a pleasant country house; there was no restriction to his friends visiting him, and a number of them dined with him every day; a pavilion was erected in one of the gardens for dining in the open air. His object in quoting this was to show the state of a man in prison who had been tried and found guilty of a serious offence, and imprisoned as a convicted man with his associates, under what was a very much more severe Code of prison discipline than the present. Let the Committee consider what had been done for him on the ground that he was a political prisoner. It would be seen from this that a moderate relaxation of discipline had not in the past been considered inconsistent with the safe keeping of a prisoner and the prevention of his doing any further mischief. If that was the treatment of a convicted man in 1845, he could not see why a man not convicted of any offence should not have a similar treatment accorded to him. Therefore, he thought he had established a clear case for demanding that a special prison should be set apart for the accommodation of the men arrested under this Act; that the prison should be fitted up with some regard to their comfort; that there should be no restriction upon their intercourse with friends whatsoever; and that they should have free access to books, newspapers, and writing materials. With regard to their safe keeping, he was perfectly willing that every precaution should be taken against escape, and that the Government should send a whole regiment of soldiers to guard them. If Her Majesty's Government were honest in declaring their desire to alleviate the sufferings of these men in prison, the course he had suggested appeared to him the only really practicable course. Therefore, they considered it of importance that a Visiting Committee should be appointed before the Bill was allowed to pass, on which there should be the names of men in whom they placed confidence. He was convinced, if the Government entered upon this in a fair way, they would find the names proposed were such as would be satisfactory, and to which it would be impossible to object. He had drawn up a list of the Committee to which they would be willing to agree. It contained the names of Dr. M'Donnell, Dr. O'Hagan, Chief Justice Barry, and two other gentlemen of Dublin. These were men to whom the Government could make no objection, and in whose kindly feeling and impartiality he and his supporters had the most implicit confidence. The Government complained of waste of time——

SIR JOHN LUBBOCK rose to Order, and asked whether the hon. Member was speaking to the Question before the Committee?

THE CHAIRMAN said, he had not been able to hear the hon. Member for some minutes, and could not say whether or not he was in Order. The Committee, however, would feel that the subject was being discussed at very great length.

MR. DILLON believed that neither the hon. Member who had just sat down, nor any other hon. Member at a distance of six feet from him, could hear what he was saying owing to the interruptions that were offered. The Government had no right to complain of waste of time, seeing that they had allowed the question to be debated for two hours the previous day without coming forward with any proposal.

Mr. W. E. FORSTER: I stated that I should have been glad to bring it forward; but I was not allowed to do so.

Mr. GLADSTONE: I do not rise for purpose of speaking to a point of Order; neither do I rise for the purpose of bringing forward an accusation against anyone. But I desire to call the attention of the Committee, if I may do so in the state of weariness and exhaustion that has been reached, and if it can give me its attention, while I describe the position in which we now stand, and the position of practical helplessness to which we are reduced. We have now been engaged for two days in considering the particular treatment which those persons who may be imprisoned upon reasonable suspicion of the commission of offences should receive; and what has happened may, I think, be described thus. It appeared yesterday that the Committee, in its generous anxiety for the good treatment of such persons, felt a desire that some special security should be taken, over and above the securities in the Bill, and the general knowledge that the persons to whom it applies will be treated as untried prisoners. My right hon. Friend, upon perceiving that anxiety, declined to discuss points of detail, believing that it was absurd and impossible for the House to enter into the question in all its details. Nevertheless, and although declining that method of approaching the subject, and while declaring himself quite ready to propose another method, several hours were spent in the discussion of the question of stone floors; and it was not until they came to the adjournment on Wednesday that the Committee had been able to dispose of it. My right hon. Friend found great difficulty in making known to the Committee the proposal we have to make; and even objection was taken to his making known that proposal on a point of Order, when it would have been greatly to the convenience of the Committee that it should have been made known. However, not from the same person, but the same quarter where those difficulties were interposed, we now hear that it is the Government who have been delaying the progress of the Bill. I may remind the Committee that the general rule observed by the House under all circumstances, even circumstances not of peculiar pressure, has been to leave the details of these prison rules to the management of subordinate authorities, and that was the footing upon which it was at first proposed to leave them by my right hon. Friend. But, desirous of deferring to everything like reasonable scruples in the Committee, he proposed to take this matter, important undoubtedly, out of the hands of those subordinate authorities, and to commit it to the highest Representatives of the Executive Government. He did that, knowing, of course, that the Viceroy and the Irish Government would be liable to challenge, first of all, if they did not exercise the power where occasionally it could be shown it should be made use of; and, secondly, for the manner in which, if they did exercise the power, they might be found to employ it. In this manner my right hon. Friend gave to the Committee the highest securities and the best assurance, by taking this matter out of the hands of subordinates and giving it to an authority not subordinate, but the highest known to the Executive Government. That was his proposal; but how has that proposal been met? It was made known to the Committee many hours ago, notwithstanding the delays interposed; but it has been met by every kind of objection in detail, and by a counter-Amendment, which would serve the purpose—I do not say, and I do not believe, it was intended to do so—of drawing forth some support, and a great deal of objection, from the same quarter of the House. But when it had answered the great end of what, to us, was its most important effect—namely, the useless waste and consumption of the time of the Committee—the counter-Amendment was withdrawn, the Mover of it not challenging the vote of the Committee. I have described the proposal of my right hon. Friend. What is proposed against it appears to be twofold in form. There are some Gentlemen who say—"Let us proceed to appoint, for the first time, a particular body of persons named to form a Committee, who will be the framers of these prison rules," thus departing from every precedent and every rule of procedure that good sense, when not turned aside by prejudice and Party purposes, has suggested on all occasions to the Legislature. That is one plan; and, of course, we should have an indefinite amount of discussion, if it were conceded, on the merits and demerits of the persons named, and an interminable number of persons would be proposed, perhaps only in order to be withdrawn, the great effect of which would certainly be to waste a considerable portion of the time of the Committee. Another proposal which I think still less reasonable than that to which I have referred, and, possibly, for aught I know, intended to be combined with it, is that this Committee itself should test and confirm the prison rules. That is to say, that we, who have been occupied for something like a quarter of the Session upon the discussion of this Bill, should hold our hands, practically, in order that these Gentlemen, if they are inclined to undertake the task, may frame and present to the Committee a set of prison rules. So that we are to come down from our functions of general legislation for the first time, in order to involve ourselves in a multitude of indirect details of which we have no practical experience, and upon which we are to get lost once more in interminable discussion. That has been the effect produced by the proposal of my right hon. Friend; and I will appeal to the reason and judgment of the Committee as to whether it is a fair and right method of meeting a proposal so framed as his; whether it does not justify the conclusion that we ought to come to the end of this debate; and whether it does not show that we must, and that without any great delay, consider in what other manner it is possible for us to expedite the matter we have in hand, so that we may show ourselves to be not wholly incapable of transacting the Business of the House?

MR. JUSTIN M'CARTHY said, he could not understand what the right hon. Gentleman complained of. He had spoken of the time consumed in discussing that matter; but was it reasonable to discuss, in a highly practical way, the regulation of those prisons to which they understood so many of their people were in a short space of time to be consigned? The right hon. Gentleman reviewed the course of the discussion, and expressed a doubt whether the Committee, in its exhausted condition, could follow his exposition of the case. He (Mr. Justin M'Carthy) was sorry that the Committee should be exhausted; but it was occasionally unavoidable that discussion should be carried on to a considerable length, even if hon. Members who did not care anything about the question should find the time long. But he contended that the question was of sufficient importance to justify all that had taken place to-night and yesterday, and to save Irish Members from severe strictures. The right hon. Gentleman said Amendment after Amendment was proposed; and he complained that one Amendment had occupied the time of the House, and had then been withdrawn; but if they had divided upon it they would have been charged with wasting time. It was withdrawn because they thought reason had been shown for withdrawing it. Then the right hon. Gentleman complained that the suggestion of his right hon. Friend was not accepted immediately. That was probably because some hon. Members did not agree with the recommendation. Was it to be supposed that the moment a Member of the Government made a suggestion they were to adopt it without debate, and that if they objected to and discussed it they were to be accused by the Prime Minister of deliberately wasting the time of the House? He maintained that there had been no waste of the time of the House, and that they were not bound at once to take the assurance of the Chief Secretary, or any Member of the Government, upon a matter of such importance.

MR. ARTHUR O'CONNOR said, the Prime Minister had complained that the Chief Secretary had been interrupted and caused to resume his seat on a mere question of form. The language of the Prime Minister had been most extraordinary; but what was made a question of Order and rigidly enforced against the Irish Members, was, in regard to the right hon. Gentleman, a matter of form. But—

> "That in the captain's but a choleric word
> Which in the soldier is flat blasphemy."

Original Question put.

The Committee *divided*:—Ayes 284; Noes 20: Majority 264.—(Div. List, No. 52.)

Mr. R. POWER proposed to move, on behalf of the hon. and learned Member for Meath (Mr. A. M. Sullivan), an Amendment enabling any Member of Parliament to visit a prisoner for one hour during such hours as might be appointed.

The CHAIRMAN: The words now added introduce into the Bill the existing special rules for untried prisoners, and give to the Lord Lieutenant power to modify those rules. It is, therefore, not compatible with the decision of the Committee to make new rules under the Amendment proposed. The next Amendment in Order is that of the hon. Member for Meath (Mr. Metge), and it relates to out-door relief for the families of prisoners. With regard to the proposed Amendment, I ought to say that, in the case of an ordinary Bill, I should certainly rule that it was out of Order, as being outside the scope of the Bill; but, considering that the Bill creates a new class of prisoners, I think it is a matter of doubt, and, therefore, I do not rule it out of Order.

Mr. METGE said, he had asked the Chief Secretary a question on the subject of the Amendment he was about to propose; and the right hon. Gentleman's answer showed that he had not any regard for the treatment of the people of Ireland. He asked the Chief Secretary whether it was not the case in England that out-door relief could be granted to the families of persons confined in gaol, while that was not the case in Ireland; and asked him to make an alteration in that respect. His answer was that he could not grant any exceptional legislation. In Ireland they exonerated the Chief Secretary from any knowledge of the real case; he did not know how common a practice it was in Ireland to tell respectable people to go to the poor-house. He believed that, in many instances, people would rather go to prison than to the poor-house, for in Ireland law had never been associated with justice; the administration of law had never been associated with impartiality. Therefore, that disgrace did not attach to commitment to gaol in Ireland which attached to the acceptance of charity under the Government. It was hard enough for an innocent man to have to suffer all the penalties of crime, which, no doubt, numbers would under the new Act; but it was still harder that his wife and family should also suffer. The Coercion Act might deal with some thousands of people; but for every one of those they might calculate that at least five more would suffer by reason of his imprisonment. Some of the prisoners might follow their particular trades, and so be able to help to support their families; but the great majority of the men who would suffer were of the labouring class, or were shopkeepers' assistants. They had no actual trade by which they could maintain themselves—much less their families. Then, again, he would remind the Committee of the harrowing feelings which must be experienced by a man in prison when he knew that all who were most dear to him must choose between disgrace and destitution. The Chief Secretary had said he did not see the necessity of introducing any exceptional legislation with regard to Ireland in this respect. He was prepared to prove that it would not be exceptional legislation. In the Act 12 & 13 *Vict.* there was a clause enumerating the persons who should receive out-door relief, and there appeared in that clause the words—"Any such person as shall be confined in gaol or other place of safe custody." In Ireland it was provided that out-door relief should only be given to persons who were permanently disabled from labour by mental or bodily infirmity. No relief could, therefore, be given to the family of any person in gaol. Therefore, a large section of the people might be excluded from relief unless his Amendment was introduced; and he really could not think, unless there was the same spirit of vindictiveness as was seen in the whole Bill, that the Government could oppose his Amendment, especially when it was remembered that the family of a man who was imprisoned had not participated in his crime. It was possible that they might have been opposed to his crime; and yet they would suffer punishment quite equal to, if not greater than, his. Coercive legislation had always borne its fruit in Ireland, and the reason was that it had always been embittered to the Irish people by some such cruel thing as that to which he was referring. If crime was not to be increased in Ireland, and the Bill was to be one for prevention and not for punishment, it was absolutely necessary to introduce his Amendment.

Amendment proposed,

In page 1, line 24, at end, add "And the family, if any, of any such person so detained shall not be thereby incapacitated from receiving out-relief if otherwise qualified to receive it, but shall in all cases be dealt with by the board of guardians of their respective unions in the same manner as if the person arrested in pursuance of a warrant under this Act had been suffering from mental or bodily infirmity."—(*Mr. Metge.*)

Question proposed, "That those words be there added."

MR. FINIGAN thought the Committee had adopted the main principle of the Amendment, and they should agree to it without any debate upon it.

MR. W. E. FORSTER: I had thought that, probably, this Amendment could not be put, as it appears to me to imply an amendment of the Poor Law. Why we cannot assent to it, and why out-door relief cannot be given to the families of persons arrested under this measure, is because the regulations with regard to out-door relief in Ireland are different from the regulations in England. The position of a person arrested under this Act will be the same as that of untried prisoners; and if we were to make a relaxation in the one case I do not see how we could refuse to make it in the other. I do not see how the hon. Member could make a distinction. In the eye of the law untried prisoners are innocent until they are found guilty; and in the same way these persons, though reasonably suspected and arrested, may be regarded, in a sense, as innocent.

MR. LEAMY said, the right hon. Gentleman said the Amendment should not be put, because it would necessitate the amendment of the Poor Law; but it should be remembered that the change in the Poor Law, which would be effected if the Amendment of his hon. Friend should be accepted, would only be temporary. The right hon. Gentleman said, also, that if they relieved the families of persons arrested under this Act they must also relieve the families of untried prisoners; but there need be no such obligation on the Government, as the words of the Amendment were entirely confined to the former class of prisoners. He had sound reason for supporting the Amendment; and he wished to invite the attention of the Attorney General for a moment to a point he was about to put. The House was aware that, under the Act of 1870, tenants were entitled to claim compensation for disturbance if they were evicted, unless there was rent due, and in certain other cases. What, then, would be the effect of the present Bill passing without this Amendment? Suppose a poor farmer were arrested on the warrant of the Lord Lieutenant and were thrown into prison, and while he was there half a year's rent became due to the landlord. The family—the head being gone—would be unable to maintain their position on the farm, and would be compelled, if out-door relief were refused, to go into the poor-house, and in that case the farm would become deserted. He wished to know whether, under these circumstances, the landlord would be entitled to go to the magistrate in petty sessions?——["Question!"]—he was merely saying that if they wished to act fairly towards the families of persons arrested, opportunities should be given to Boards of Guardians to grant out-door relief in cases where it might be required; because he was very much afraid that if the head of the family were thrown into gaol and the farm deserted, increased facilities would be given to the landlord for obtaining possession of the land without paying compensation for disturbance.

THE CHAIRMAN: The hon. Gentleman is travelling much beyond the Amendment.

MR. LEAMY was very much afraid that, owing to the interruptions of hon. Members who sat behind Her Majesty's Ministers, the Chairman had not heard the line of argument he was following.

THE CHAIRMAN: I perfectly heard the hon. Gentleman's words, and I consider he was travelling beyond the Amendment.

MR. LEAMY said, the Amendment said—

"And the family, if any, of any such person so detained shall not be thereby incapacitated from receiving out-relief if otherwise qualified to receive it, but shall in all cases be dealt with by the board of guardians of their respective unions in the same manner as if the person arrested in pursuance of a warrant under this Act had been suffering from mental or bodily infirmity."

The right hon. Gentleman had said that the families of persons detained under this Bill would be treated like the families of prisoners awaiting trial who might possibly be innocent. But in the case of those for whose families he was pleading, they might not only be possibly innocent, but it might be well known in their own localities that they were innocent. ["No, no!"] Would anyone who defended the Bill stand up, and take it on himself to say that not a single innocent person would be sent to gaol under the warrant of the Lord Lieutenant? He would put it in this way. Had they not a right to give assistance to the families of those poor people? Was it not enough to punish an innocent man; but must they also inflict punishment on his family? When they arrested a farmer, they might leave three or four children and a wife behind, who would lose the farm they were on—the family would lose the advantage of the Act passed here for the purpose of conferring a right on them. Poor men, earning 9*s.* or 10*s.* a-week, might have their homes broken up. That, no doubt, seemed little or nothing to some hon. Members. They were only the homes of poor Irish peasants. Hon. Members did not know, as Irish Members knew, how the Irish peasantry clung to their homes, how they loved them——

The CHAIRMAN: I must again mention the fact that the hon. Member is travelling beyond the Amendment.

MR. LEAMY said, he would not trouble the Committee; but he hoped the Chairman would put as much blame upon the interruptions to which he had been subjected as upon him.

MR. DALY said, he did not wish to occupy the attention of the Committee for any length of time. The Chief Secretary had said that if the relief were given to the families of persons arrested under this Bill, it would be expected to apply to all untried prisoners; but the English Act, in which exceptions were made, did not specify whether the person in prison, whose family was to be relieved, was to be a criminal or an untried prisoner. He was justified in assuming that the exception as stated in the English Act applied equally to untried prisoners and prisoners undergoing imprisonment for crime; and he would point out that the Amendment was in no sense mandatory. The Government were altering the law of Ireland, and depriving the people of that country of their Constitutional liberties; and it was, therefore, not too much to ask them to make provision in the Act for granting out-door relief, or to give the Guardians power to grant it. It would be dependent on the judgment of the Guardians whether the persons who applied were fit subjects for relief. A majority of the Guardians would have to decide upon each case; and he would further point out that if this relief were given it would cost the Government nothing, as the charge would fall upon the funds of the Union. The Guardians would know that the arrests were made on suspicion, and would, therefore, be aware that many of the prisoners were innocent, and would, out of sympathy, vote relief from their own pockets, they, of course, being contributors to the rates. The tax would simply be on the locality, and surely the Committee would not refuse to the families of men arrested on mere suspicion what was already given to the families of criminals. It was not a pleasure to him to stand up to occupy the time of the Committee; but he was bound to declare that, whatever the opposition to other Amendments might have been, the opposition to this was indefensible.

MR. H. SAMUELSON thought the Amendment could not be objected to on the ground of unreasonableness; and if hon. Members pressed it to a division he should vote for it. The Chief Secretary's objection to it was, that if he agreed to it, it would be necessary to provide for the families of all persons who were in prison awaiting trial; but there was no parity between the case of an ordinary prisoner awaiting trial and a prisoner who would be confined under this Bill. The former, as a rule, would not be confined in prison without trial for any considerable period, whereas the latter might be imprisoned for 18 months. The Chief Secretary had said—and they all believed that he meant what he said—that the Act was not intended to punish, but to deter persons from committing crime. It would be a hard thing that because a father—the head of a family—was arrested on suspicion of having committed acts of violence, or any other of the offences mentioned in the Bill, therefore his wife and children, and all those depending on him, should be reduced to the very last extremity of poverty. He only wished that all the Amendments that came from the opposite side of the House were as reasonable as this one, which he should have much pleasure in supporting.

MR. O'SULLIVAN thought this a most fair and humane Amendment, and considered the reason given by the Chief Secretary for opposing it a remarkably poor one. He said the regulation, if applied to prisoners under the Bill, would have to be applied to all untried prisoners. Well, suppose it were applied to all untried prisoners. The right hon. Gentleman had admitted that the law of Ireland was rather imperfect, and that they ought to have the same law in Ireland that they had in England in the matter of out-door relief. This difference exposed in the strongest manner the inequality of the laws of the two countries. Some hon. Members said they had the same laws in Ireland as in England; but in England out-door relief could be given to the family of a prisoner from the time he was taken away until the time of his return, and this was not the case in Ireland. The Act was one of an exceptional character, and, that being so, exceptional provisions might be inserted in it. It would not militate against or injure the Act if the Amendment were accepted, neither would it cripple the power of the Lord Lieutenant or the Chief Secretary. It was a humane, a just, and a right Amendment, and ought to be embodied in the measure.

MR. W. E. FORSTER: I should like to make an explanation. I do not wish the families of the prisoners to suffer, and I admit that the men will be detained a longer time than untried prisoners; but the difficulty is this. There is a great difference between the Poor Law of England and Ireland. I do not know that my own sentiment would be in favour of the Irish mode; but I know there is a strong argument for it from the fact that it would have an evil effect to allow out-door relief to crop in. It would be very difficult, if the Amendment were accepted, to confine the arrangement to the families of prisoners arrested under the Act, and not to extend it to the families of untried prisoners. I do not mean to say that by accepting the Amendment we should be giving out-door relief to the families of untried prisoners; but it would be difficult for us not to make the change. I would ask the hon. Member to withdraw the Amendment, and I will undertake to obtain information on the point before the Report. I make no pledge in the matter; but I should like to have a little longer time to consider the matter. The reason I am not prepared with information, as I otherwise should have been, is that I thought such an Amendment was outside the scope of the Bill, and could not be put.

MR. METGE: Do I understand the right hon. Gentleman to say that we can discuss the matter again on Report?

MR. W. E. FORSTER: Yes; certainly.

MR. METGE: Then I withdraw the Amendment.

Amendment, by leave, *withdrawn.*

MR. BRADLAUGH said, he had an Amendment on the Paper; but he trusted it would not be necessary to trouble the Committee with any arguments in support of it, because they were now at a stage that gave great objection to protracted controversy, and he did not know whether it might not be possible for the Government, especially after what had fallen from them during the debate on the Amendment of the right hon. Member for Halifax (Mr. Stansfeld), to make some sort of Amendment themselves which would meet the case more efficiently. The difficulty was that hon. Members would want to know whether a man was arrested on a grave charge or on a trivial one, and the technical "ground stated for his arrest" might not convey that to them. He would move his Amendment, but would not press it, if the Government would give him any sort of assurance that the object he had in view would be met in some other way.

Amendment proposed, in page 1, line 27, after "and," insert "with details and particulars."—(*Mr. Bradlaugh.*)

Question proposed, "That those words be there inserted."

MR. W. E. FORSTER: I should rather have thought that this point was settled by the division taken on subsection 1, when I stated that upon Report I would introduce words to provide that the nature of the crime should be shown on the arrest, but not the "grounds" for the arrest. That is to say, if the crime is incendiary fire, "incendiary fire" would be stated on the warrant.

MR. BRADLAUGH: That would be quite satisfactory to me, and I therefore withdraw the Amendment.

MR. LEAMY: I rise to Order. I wish to know whether the Amendment of the hon. Member for Northampton has been formally withdrawn by leave of the Committee? I did not hear the Question put, and I do not think anyone else did.

THE CHAIRMAN: Did the hon. Member move the Amendment?

MR. LEAMY: Oh, yes; he did.

THE CHAIRMAN: Then I did not hear it, and did not put it from the Chair. I now put it, and ask if it be your pleasure that the Amendment be withdrawn?

MR. W. E. FORSTER: If there is likely to be a discussion on the Amendment, I would put it whether the point has not been decided by the division on sub-section 1?

THE CHAIRMAN: What was decided, under the Amendment of the right hon. Member for Halifax, was in regard to the warrant—the statement in the warrant of "time and place." In the present case the statement is to be placed before Parliament. The warrant is not in question at all; therefore, I decided the Amendment could be put. Is it your pleasure that the Amendment should be withdrawn?

MR. DAWSON said, he would address his observations to the hon. Member for Northampton, to whom, for the manner in which he had conducted himself in regard to this Bill, the Irish Members were very much indebted. The hon. Member wished to have "details and particulars" of the ground of arrest stated to Parliament. He (Mr. Dawson) held in his hand a book—although he did not intend to read from it—which showed many cases of persons, under similar Acts, though guiltless, having been subjected to long terms of imprisonment, in consequence of flimsy and untruthful charges having been brought against them. If there were reports giving "details and particulars," and informers were obliged to supply them, they would be deterred from bringing flimsy and untrue charges in order to get people imprisoned for 18 months. If the name of the crime, such as "incendiary fire," "maiming cattle," were put in the Report made to Parliament, and informers were told that they would have to give minute particulars capable of being sifted afterwards, they would be cautious of making accusations that, on a future occasion, they would be unable to sustain. He would, therefore, urge the hon. Member for Northampton to ask a full explanation on this point from the Chief Secretary.

Amendment, by leave, *withdrawn.*

MR. HEALY rose to move, in page 2, line 2, at end of sub-section (3) to add—

"Such list shall show the date of arrest, the period of detention, the residence of each such person, with the rateable value of his house, if a householder, and his profession or calling, and shall be accompanied by a copy of the informations upon which the warrant for his arrest was issued."

THE CHAIRMAN: The hon. Member will only be entitled to move the first part of the Amendment, and not the latter.

MR. HEALY said, he would move it as far as he was allowed, and he presumed that would be down to the word "calling?"

THE CHAIRMAN: Yes.

MR. HEALY said, his object in moving the Amendment was to provide that when the warrant was laid upon the Table the particulars specified should be in the possession of the House. The Bill enacted that—

"A list of all the persons for time being detained in prison under this Act, with a statement opposite each person's name of the prison in which he is detained for the time being, and of the ground stated for his arrest in the warrant under which he is detained, shall be laid before each House of Parliament within the first seven days of every month during which Parliament is sitting."

It was desirable, he thought, for the information of Members of the House, that there should be added to the list the date of the arrest, the period of detention, with the residence of the person arrested, and his profession or calling. It was most desirable that they should have the date of the arrest, for this reason—if the date was not given when the copy of the warrant was laid upon the Table the House would be quite in the dark. Of course, if the date of the arrest were given, the period of detention would follow as a matter of course. The Government could have no objection to give the period of detention, and he presumed there would be no difficulty in giving the date of the arrest. The rent of the house occupied by the person arrested would show his respectability and position, and it would also be desirable to give his profession or calling. It was quite a matter of detail, and he did not think there would be any objection to give these particulars.

Amendment proposed,

In page 2, line 2, after the word "sitting," to insert the words "such list shall show the date of arrest, the period of detention, the residence of each such person, with the rateable value of his house if a householder, and his profession or calling."—(*Mr. Healy.*)

Question put, "That those words be there inserted."

The Committee *divided:*—Ayes 41; Noes, 261: Majority 220.—(Div. List, No. 53.)

MR. GRAY said, the Amendment he had to move was not of the same importance as it would have been if it had been conceded that the House should have some further information in regard to details. What he intended to propose was, in page 2, line 2, at the end of the sub-section, to insert the words—

"If Parliament is not sitting such list shall be published in the 'Dublin Gazette' on the first day of every month."

He hoped the right hon. Gentleman the Chief Secretary would not treat this Amendment as he had treated the last, and allow a division to be taken upon it without the slightest discussion. If he anticipated that the right hon. Gentleman would take such a course, he would certainly feel inclined to enter into explanations at a much greater length.

Amendment proposed,

In page 2, line 2, at end of sub-section (3), to add the words "if Parliament is not sitting such list shall be published in the 'Dublin Gazette' on the first day of every month."—*Mr. Gray.*)

Question proposed, "That those words be there added."

MR. W. E. FORSTER said, it would be necessary to preface the Amendment with the insertion of the word "and." If the hon. Member would do that, there would be no objection on the part of the Government to accept the Amendment.

MR. GRAY moved to amend the Amendment by inserting the word "and" at the beginning of it.

Amendment proposed to proposed Amendment, "That the word 'and' be there inserted."

Amendment *agreed to.*

Question proposed, "That those words, as amended, be there added."

MR. HEALY expressed his gratification at the course taken by the Chief Secretary, and thought that the right hon. Gentleman might have dealt with the previous Amendment in the same way. ["Question!"] He had avoided debate of every kind, and had simply contented himself with moving the Amendment. He could only say that if the right hon. Gentleman had met the Amendment in the same way that he had met that which had just been moved by the hon. Member for Carlow (Mr. Gray) matters would have been very much facilitated.

Amendment, as amended, *agreed to.*

THE O'DONOGHUE moved in page 2, line 2, at the end of the sub-section, to add—

"A list of complaints made by persons for the time being detained in prison under this Act shall be laid before each House of Parliament within the first seven days of every month during which Parliament is sitting."

The effect of this Amendment would be to insure that the rules drawn up for the treatment of the prisoners were rigidly adhered to, and it would also prevent any manifestations of political feeling on the part of prison officials, who on previous occasions had not unfrequently indulged in such manifestations. He believed there were Members of that House who had been detained for political offences, who would be able to state the nature of the treatment they received, and the kind of feeling which was manifested by the prison officials, beyond the mere carrying out of the prison rules. He hoped the right hon. Gentleman the Chief Secretary would accept the insertion of these words.

Amendment proposed,

In page 2, line 2, after the word "sitting" to insert the words "A list of complaints made by persons for the time being detained in prison under this Act shall be laid before each House of Parliament within the first seven days of every month during which Parliament is sitting."—(*The O'Donoghue.*)

Question proposed, "That those words be there inserted."

MR. W. E. FORSTER: I am sorry that I cannot agree to this Amendment. No one can doubt that the persons who will be arrested under this Bill will not be in the want of friends in Parliament, and that they will be ready to make complaints if there are good grounds for them. The insertion of these words would be really to invite complaints, and would very likely result in the bringing of the most frivolous complaints before this House, and the unnecessary waste of time.

Mr. FINIGAN really hoped that the Government would see their way to the adoption of the Amendment. It contained a principle of prevention, and would remedy an evil which had been a source of much complaint and dissatisfaction in the past. The Lord Lieutenant was to draw up certain defined rules for the treatment of these prisoners; and if the Governors of Irish prisons carried them out in the spirit intended by the Chief Secretary there would be no need of any list of complaints whatever. But it might so happen that some of the Irish prison Governors would neither carry out strictly nor justly any Code of Regulations laid down by the Lord Lieutenant. He certainly could see no harm, but, on the contrary, he could see very much advantage, in laying before Parliament a list of any complaints that were made of the ill-treatment of any of the prisoners, and any infringement of the regulations laid down in the proposed Code. He thought if the Chief Secretary would re-consider the matter he would see that there was no objection in principle to the Amendment; but that, in the interests of justice, it would be advantageous to agree to it, or to some modified form of it. He did not believe that the prison rules, as they had hitherto been carried out, were framed either on the principles of humanity or justice. An Irish official would fear more the displeasure of the House of Commons than any recommendations from the Lord Lieutenant, or any of his advisers in Dublin Castle. It was hardly necessary to remind the Committee that in Ireland the prison officials had not won from the Irish people the same respect which the good conduct and honesty of the English prison officials had obtained for them. It was for this reason that he asked that the conduct of the Irish officials, if they exceeded their duties, might be brought under the notice of the House and be discussed in a proper manner.

Question put.

The Committee *divided:*—Ayes 33; Noes 242: Majority 209.—(Div. List, No. 54.)

Mr. LEAMY proposed, by the Amendment he was about to move, to alter the clause by vesting the power of proscribing a district solely in the Lord Lieutenant. The 1st section of the Bill conferred the power upon the Lord Lieutenant to arrest and detain a person upon reasonable suspicion of having committed a certain offence. It was only reasonable, therefore, that the Lord Lieutenant himself should declare in what district that power should be exercised. The Privy Council in Ireland was composed of many men in whom he had no confidence, and who had made themselves singularly prominent in their hostility to Irish views and aspirations; and, under the circumstances, it appeared to him that the power in question should be vested in the Lord Lieutenant alone.

Amendment proposed,

In page 2, line 5, to leave out from the word "by," to the word "Ireland," in line 6, both inclusive.—(*Mr. Leamy.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. W. E. FORSTER was rather surprised that the hon. Member for Waterford should have moved this Amendment. The hon Member, in wishing to strike out the words "by and with the advice of the Privy Council in Ireland," seemed to suppose that their retention removed the responsibility, in some measure, from the Lord Lieutenant and the Executive, and put it upon the Privy Council. But that was not so. Any hon. Member who was acquainted with the machinery of the Administration must be aware of the reason why the words were inserted; and he should have thought the hon. Member would have preferred them to remain. He did not think the Government ought to depart from all past precedent in striking them out.

Lord RANDOLPH CHURCHILL said, the right hon. Gentleman had alluded to the machinery of the Privy Council in Ireland; but the fact was the Privy Council was a mere form. The right hon. Gentlemen attending the Council were summoned merely as a kind of form to give their names to documents; but no discussion ever took place at the Privy Council, and no responsibility was ever supposed to lie upon any Member of it. It was a great misfortune that no real Privy Council existed to give their advice to the Government. The effect of the Amendment, under the present condition of affairs, would be nothing at all.

Mr. O'SHAUGHNESSY thought it was a fortunate circumstance that there was in the House at least one Member who had been behind the scenes in Ireland; and he did not think the right hon. Gentleman the Chief Secretary could have been serious when he recommended the intervention of the Privy Council. He pointed out to the right hon. Gentleman that what was wanted in this matter was not formality, but security, that the powers of the Bill would be properly used. The main reason in support of the Amendment was that the Privy Council in Ireland consisted largely of the Irish Judicial Bench. He thought it was unfitting that the Judges of Ireland, who ought to be simply the exponents of law and justice, should exercise the important function of the Executive in proscribing districts under the Bill.

Mr. GRAY said, it was probably true, as the noble Lord the Member for Woodstock said, that the Privy Council was, to a great extent, a sham; but it struck him it was also a mischievous sham. The Amendment was aimed at fixing upon the Lord Lieutenant the entire and personal responsibility for the carrying out of this Act. It also aimed at preventing his being able to shelter himself behind this sham of the Privy Council, and was precisely the reverse of what the Chief Secretary seemed to think. He granted that, were this an ordinary Bill, it would be very desirable that the Lord Lieutenant should issue his warrant surrounded by all the usual formalities by and with the assent of the Privy Council. But the principle of this Bill was exceptional, and he wanted the personal responsibility to be fixed upon the individual, and that all justification for the Lord Lieutenant or the Chief Secretary being able to shield themselves afterwards by association with the Privy Council should be removed. There was no doubt that the machinery in Ireland, as regarded the exercise of the Executive functions of Government, was exceedingly defective, and that was one of the causes why the Administration of Dublin Castle was looked upon with such suspicion, as was the case by the general body of the Irish people. He had just looked at the constitution of the Irish Privy Council, and found that it was not calculated to inspire confidence amongst the people. The first name he found was that of the Lord Primate Beresford. He did not think the antecedents of this family were of a character that entitled them to be regarded with very high favour in Ireland.

The CHAIRMAN: The hon. Member is certainly travelling beyond the very simple limits of the Amendment. Because a constituted body is objected to, there is no right conferred to discuss the character and fitness of its individual Members. If this were admitted, on discussing the Irish Constabulary you might claim the right to discuss every policeman.

Mr. GRAY: The clause provided that this Act should be carried into operation by the Privy Council; and he respectfully submitted that he was justified in the arguments he was applying to it. He felt so strongly upon the point that, until he was distinctly ruled out of Order, he should continue his argument. The next name he found was that of the Archbishop of Dublin.

The CHAIRMAN: It is certainly not within the limits of the Amendment that the hon. Member should discuss the character of each Member of the Privy Council.

Mr. GRAY, while admitting that under the new Rules if he was silenced he must submit, contended, with all respect, that he was entitled to continue his argument.

The CHAIRMAN: I do not rule that the hon. Member is not to be heard if he speak with relevancy to the Amendment; but I rule that what he has said is irrevelant.

Mr. GRAY said, the ruling of the Chair must be either one thing or the other; and if he——

The CHAIRMAN: Since the hon. Member wishes my decision, I rule that he discontinue his speech if he intend to continue the same line of discussion.

Mr. A. M. SULLIVAN said, the present Amendment raised the point as to whether the Privy Council ought to be associated with the Lord Lieutenant in certain acts in administering this Bill; and unless hon. Members were allowed to show the reason why the Privy Council ought not to be associated with him they could not discuss the Amendment. The Privy Council did not consist of an individual; and if they were to discuss the qualifications for the Privy Council sharing in these acts of administration they must discuss the competency of its component parts. Even under the new Rules, he believed it might be contended that the whole was made up of its parts. When it was assumed by the right hon. Gentleman that the Privy Council would be recommended to the confidence of Irish Members, and the Irish people, as eminently fit and well qualified to carry out this Act, surely Irish Members might point out to the Government and the Committee that one of the reasons why the Privy Council ought not to be intrusted with any share of this responsibility was because of the preponderance of certain persons on that Council who, for reasons that could be assigned in debate, were not fit to be so intrusted. He understood that the majority of the Privy Council, if any vote was given at all, was to assist the Lord Lieutenant in this matter; and, assuming that the Privy Council was not a sham, and that there was genuine debate, then they might also assume that the Lord Lieutenant might take the advice of the majority of the Council. One reason why he urged that the Privy Council ought not to be consulted was that the majority of its Members were eminently unqualified. How, then, could he show that unless he went through the list of the Privy Council? Without going into the case of individual Members of the Privy Council, he would take them by classes, and would begin with the Judges. In 1867, the Privy Council in Ireland executed an Act like this, and issued a Proclamation under the hand of the Lord Lieutenant, and signed by Members of the Privy Council, declaring illegal certain funeral processions. To that Proclamation were appended the names of Judges before whom, as he believed, the question of legality came for trial. Was not that a serious disqualification for one class of Members of the Privy Council being intrusted with the pretence of responsibility under this Act? The responsibility of the Privy Council, according to the noble Lord the Member for Woodstock, who knew all about it, was only a pretence. The result of Judges having this responsibility would be that the law would be discredited in the eyes of the people, when they saw appended to these Proclamations the names of the Judges before whom the legality of such Proclamations might be contested. There were others belonging to this sham Privy Council, who, as a class—and he only put it as a class—had forfeited all right to be regarded in Ireland as any safeguard of the liberty of the subject. He submitted to the Committee that the Privy Council constituted no solid and substantial check upon the exercise of power by the Lord Lieutenant, and said that the advantage to public policy was entirely in favour of concentrating in the Lord Lieutenant responsibility for acts which would be in reality his own. The Government might say that that was not the usual and judicial mode of proceeding in connection with Proclamations. But it was not so serious a departure from judicial procedure as the Bill proposed for the whole of Ireland; and it was preposterous to say that they had to acquiesce in that shadowy body, that mischievous body the Privy Council, so far as it had any reality. It was only a sham—it was a mockery to speak of the Privy Council in connection with an Act like that. If the Lord Lieutenant was to be made a despot let him stand as a despot. If they would not have the administration of the Act surrounded by the Constitutional safeguards of Judge and jury, let them not have the mockery and hypocrisy of a sparing of responsibility by the Privy Council, which was a sham. On that ground, he emphatically supported the Amendment, and trusted that his hon. Friend would press it to a division.

Mr. GLADSTONE: I cannot bow to the authority of the noble Lord (Lord Randolph Churchill). All who have been cognizant of the working of the Administration know that the passing of an Order in Council does not, in the slightest degree, diminish the responsibility of the Government. The Privy Council is not peculiar to Ireland. It exists also in England. What is the meaning of the provision in thousands of cases which provides that such and such things shall be done by Order in Council? It does not imply that any responsibility is taken off those upon whom it should lie. The simple object of Parliament in these enactments, and I would even say the known object, is to give the greatest solemnity and gravity to the act, and thereby mark and fasten in a special manner responsibility on the Advisers of the Queen. That is the real meaning of the enactments which are found in Acts of Parliament that such and such things shall be done by Order in Council. Take any case in England. A Council is not attended always—very commonly it is not attended—by Ministers who have done the particular acts ratified by the Council. Their attendance is a form; but it is a form to mark and fasten on the Government responsibility. That I beg the hon. Member to believe. But, surely, it cannot be disputed for a moment, whatever may be said of the particular constitution of the Irish Privy Council and its modes and usages, that the meeting of the Council in Ireland or England detracts in the slightest degree from the responsibility, which, I agree with hon. Gentlemen on that side of the House, ought to be placed in the most marked manner on the Advisers of the Queen.

MR. DILLON said, the noble Lord the Member for Woodstock had described the Privy Council as merely a sham, and the reason why he (Mr. Dillon) would support the Amendment was that he was afraid under that Act it would arise from its long slumber and resume its activity. The Privy Council was composed of a sham body, who had publicly proclaimed their anxiety for the passing of the Coercion Bill—men who had demanded coercion, and denounced Irish Members and Irish people for disturbing the peace. No matter how quiescent they might have been, if the Lord Lieutenant consulted the Privy Council he might be urged to apply the Act much more stringently than he would from his own judgment. He would rather leave the liberty of his countrymen in the hands of Lord Cowper than in the Privy Council; and he would support the Amendment, because he believed that in regard to the Act the Council would cease to be a sham, and become exceedingly active, and would attend in full force, and use all their influence to urge the Lord Lieutenant to carry out the Act in the most stringent possible way. The Irish Members had been reduced to silence; but he could not see why they should be debarred from naming men who had made themselves notorious in Ireland. Chief Justice May was one of them——

THE CHAIRMAN: The hon. and learned Member for Meath was within Order, because he spoke of a class generally; but the hon. Member now speaking is disobeying the ruling of the Chair, that it was out of Order to discuss the individual characters of members of the Privy Council.

MR. DILLON concluded by saying that more than one-half of the Council were Irish landlords.

MR. T. P. O'CONNOR said, the noble Lord had described the Privy Council as a sham, and the First Lord of the Treasury said it was a solemnity. He would take it either way; but the objection to the Council remained the same. If it was a solemnity, so much the more ought the Judges of the land to be prevented from giving consent to Proclamations under which they would afterwards pronounce judgments. The more solemn the functions of the Privy Council, the deeper and profounder reason was there to preserve such purity as remained on the Judicial Bench of Ireland—and that was very little—from being soiled and destroyed by taking part in the Council. He did not think the Council was a sham, and he did not think it was a solemnity; but if a Proclamation with regard to a prescribed district was brought before the Council, surely its terms would be discussed by the members of the Council [Lord RANDOLPH CHURCHILL: Certainly not.] The noble Lord had been behind the scenes, and, no doubt, knew; but it appeared to him an extraordinary thing to say that the Judges met in solemn conclave and put their names and seals to Proclamations without hearing the terms of the Proclamations. If they had never heard the terms of the Proclamations they were taking part in a mockery; but he did not think that that took place at all. When the Lord Lieutenant wanted to do anything like that, he consulted not only the Law Officers of the Crown, but also the Lord Chancellor and the Judges as to the state of the country. He might not go officially; but did anyone in his senses believe that the Chief Secretary, for instance—and he challenged contradiction from the right hon. Gentleman—when he wanted to know the state of the country in order to regulate his legislative proposals for Ireland, did not go the Judges and ask their opinion?

Mr. W. E. FORSTER: If I consult the Judges, I consult them in their private capacity as members of society, and not in their official capacity as Judges.

Mr. T. P. O'CONNOR was extremely obliged to the right hon. Gentleman for the explanation, for it made his argument much more clear, which was that the Chief Secretary consulted those Judges as persons of eminence as to the state of the country, and as persons of eminence he would also consult them as to the means of pacifying the country. As eminent persons they would also be consulted by him as to the parts of the country which required to be prescribed, and accordingly, as persons of eminence, they would be consulted as to matters upon which, as persons with judicial capacity, they would have to decide. He was not going to allow the Government any longer to drag the Judicial Bench of Ireland through the mire of Party politics. He would not mention the name of any member of the Council, but he would divide them into classes. There were ex-Whigs, ex-Tory officials, one or two Protestant ecclesiastics, Tory landlords, and Whig and Tory Judges, who were worse than the worst Tory landlords. Did anybody think that the Government were to be allowed, without a protest, to put the liberties of the country in the hands of these hereditary antagonists of the Irish people? The right hon. Gentleman had repeated constantly that they would shirk no responsibility; but was not the Lord Lieutenant, if he took the advice of the Council, shirking responsibility? It was very well for the First Lord of the Treasury to say that the Council did not relieve the Government of responsibility; but if there were three or four men, the general public attached to each of these three or four men a portion of the responsibility. If they were going to have despotism worse than any despotism in Russia or France——

The CHAIRMAN: The hon. Member is going altogether wide of the Amendment.

Mr. T. P. O'CONNOR would not pursue that part of the argument; but he repeated, that if the Bill was passed it would be far better for the country to have the Lord Lieutenant solely responsible, than to have anti-Irish Irishmen, who were worse than the Tory landlords.

Mr. CALLAN said, he found in the *Dublin Gazette* that the Government, since the advent of the Chief Secretary, were themselves the parties who had set aside and spurned the assistance of the Privy Council. Every Proclamation issued since the advent of the Chief Secretary was issued by him in the name of the Lord Lieutenant, and not by or with the advice of the Privy Council. The Government had thus set a precedent which the Irish Members were now trying to follow. He had another objection to the Privy Council—namely, that it contained another and still more objectionable class than any other in Ireland, and the very mention of which, as attached to the Privy Council, would be sufficient to deprive it of any remnant that would remain of respect for a body which had the reputation of being a sham—he meant the Commmanders of the Forces. Three of their Martial Governors were among the Privy Councillors, and in times of emergency they would certainly be the most active. One of them, who advised that the Sepoys should be blown from the mouth of a gun, might propose to blow the Irish people from the mouth of a gun in the same way; and if the Government wished their Proclamation to have any respect, they should leave it to be issued by the Lord Lieutenant himself, for whom, however much they might distrust him, they had more respect than for the great majority of the Council.

Major NOLAN believed that the Lord Lieutenant and the Privy Council were not the persons who would put the Act into action, but that it was the Chief Secretary who would do it; and he believed the people of Ireland would rather have responsible a man whom they could regard with some respect. He would sooner have one sham than two shams, and he would, therefore, like to strike out the Lord Lieutenant from the Act. It was all nonsense to say the Privy Council would have no influence; and although the Lord Lieutenant would not lean entirely on them, the Privy Council would go for something with the public. The Council in Ireland was very different from the Council in London. Society in Dublin was rather small, and the Council absorbed a large portion of it; and he believed it did exercise some influence on the Lord Lieutenant and the Chief Secretary. He thought it would be better to bring the responsibility over here.

MR. T. D. SULLIVAN bore testimony to the extreme distrust with which the Judges, as Privy Councillors, were regarded in Ireland. Those gentlemen attended the meetings of the Council, and there they got crammed with all the whispers sent up by the police from all parts of the country. Their minds were filled with those stories, and when they went down to Assizes they addressed charges to the jurors which were generally supposed to be founded upon information given them in their judicial capacity. But that was not so; they tried men, and the country——

THE CHAIRMAN: I do not see how the remarks of the hon. Gentleman are relevant to the Question.

MR. T. D. SULLIVAN said, as to the other classes in the Privy Council, he would say nothing; but as to the Judges, their presence at the Privy Council was regarded as a grievance by the Irish people. Therefore, he was in favour of the Amendment.

MR. W. E. FORSTER: I rise to make an explanation. Nothing can be a more complete mistake than to suppose that the introduction of these words takes away the slightest responsibility from the Executive Government. The responsibility rests, not only on myself, but on the Government generally. There has been some talk of resignations; Lord Cowper and I, myself, would resign to-morrow, if we supposed that any gentlemen, however influential or however much respected they might be—and I am sorry that there were remarks which I think were very uncalled for——

MR. CALLAN rose to Order, and asked whether such an observation as "remarks being uncalled for" was explanation?

THE CHAIRMAN: I think the right hon. Gentleman is going beyond the point of explanation.

MR. W. E. FORSTER: Lord Cowper and myself would resign if, after these acts for which we shall be responsible to Parliament and the country, we were obliged to abide by the votes of any gentlemen not in the Government—not our Colleagues in the Government.

SIR JOSEPH M'KENNA put it to the Prime Minister, whether there was any solid objection to the Amendment? The Privy Council must stand or fall upon its own merits. Here was a Bill for conferring extraordinary powers on the Government, and what they wanted was that that power should be conferred in an unmixed fashion on the Lord Lieutenant; and if it would be more satisfactory to the majority of the Irish Members that those words should be struck out of the clause, what earthly objection would there be to it?

MR. H. SAMUELSON said, that before they went to a division on the Amendment, he wished to put a Question to the right hon. Gentleman on the Front Opposition Bench (Sir Stafford Northcote)—namely, Whether he agreed with the opinion expressed by the noble Lord the Member for Woodstock (Lord Randolph Churchill), that the Privy Council in Ireland, during the time the right hon. Gentleman held Office, was a "nonentity" and a "sham;" that it never met in Dublin for any other purpose than that of registering forgone conclusions without discussion; and that it never held a meeting to transact real business? He supposed that the noble Lord the Member for Woodstock was entitled to speak with a great deal of knowledge on this subject, and the Liberal Members had a right, in their innocence, to be informed whether, when the Conservatives were in power, the Privy Council was a nonentity, and never entered into discussions, merely contenting themselves with signing their names?

MR. JOHN BRIGHT: I am not about to break the Rules of the Committee, and yet I cannot say that I am about to discuss the Question before the Committee. It is now more than half-past 1, and I do not know whether or not hon. Members wish to sit until daylight. The discussion has taken a very wide turn. Attacks have been made upon the Irish Privy Council, and a great deal has been said that I think even Irish Members will, to-morrow, be disposed to regret. Attacks of a formidable character have been made on gentlemen in Ireland, with many of whom we are acquainted—gentlemen of very high position. All this was unnecessary in discussing the question whether the Privy Council should have its name on the Proclamations that may be issued in consequence of the passing of this Act. I rise, therefore, for the purpose of suggesting to hon. Gentlemen that they should, at this hour of the morning, allow us to divide on the Question, and that then Progress should be reported. The Irish Members themselves, and all hon. Members I am sure, would be glad to adopt this arrangement.

Question put.

The Committee *divided:* Ayes 203; Noes 34: Majority 169.—(Div. List, No. 55.)

Mr. GLADSTONE: I rise to move that you do report Progress, Mr. Lyon Playfair, and I think it would be to the convenience of the Committee that, before it breaks up, I should refer to a Notice which I gave to-day, with regard to which I wish to say a word. My observations will be strictly connected with the procedure in Committee upon this Bill. Notwithstanding the unfavourable appearance of the Notice Paper, I believe it is not beyond hope that, by a natural process, we may reach the termination of the discussion of this Bill in Committee to-morrow night. It is not unreasonable, and I cannot be surprised to find, that hon. Gentlemen, who will only have the recent Rule of the Speaker in their hands to-morrow, would rather not be called on to make an application of it on the very day it comes before them. I, therefore, wish to say that I shall not bring forward the Motion, of which I have given Notice for to-morrow, until Monday. ["Hear, hear!"] I see this announcement is received with some satisfaction by hon. Members opposite. It is quite right for me to state that if on Monday there appears to be any occasion for such a Motion—that is to say, if the Committee is not closed—it will be my duty to press it on the House. Not myself only, but many Members of the Government, feel that a very serious responsibility rests upon us in this matter, and that having brought forward this measure, it is a matter of public interest and necessity that we should carry it to a conclusion as early as possible.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. W. E. Gladstone.*)

Mr. GRAY regretted to hear the announcement with which the Prime Minister had closed his observations, for to him, and those who had taken a similar action to himself in connection with the Bill, it made the situation somewhat embarrassing. They had anticipated—anyone who had examined the Notice Paper had anticipated—from what the Amendments really meant, that the Committee would naturally terminate to-morrow. That was what they expected, long before the Prime Minister had given his Notice of Motion in an early part of the day. The statement the right hon. Gentleman had made had come upon him with a considerable amount of surprise. Had he simply withdrawn the Motion, declaring that he did not wish to press it under the circumstances, the Committee would have terminated to-morrow. For himself, he saw no reason why it should not terminate to-morrow; but he feared that the threat with which the withdrawal of the Motion had been accompanied would not at all facilitate the transaction of Business to-morrow. [*Laughter.*] Hon. Members might laugh at that; but, as a matter of fact, it would not facilitate the transaction of Business to-morrow, and the Rule might just as well have been applied to-morrow, as later on. If the discussion did not conclude to-morrow, it would be in consequence of the Notice given by the right hon. Gentleman.

Mr. CALLAN said, the right hon. Gentleman had concluded with a threat to renew, on Monday, a Motion which would largely affect the privileges of Members of the House, not merely Irish, but all other Members. Therefore, he would give Notice that if that Motion was proceeded with, and if the Rules of the House permitted, he should move that before it was put there should be a call of the House.

Mr. O'DONNELL thought that, with a little extra economy of time, so far as the Irish Members were concerned, the Bill, under ordinary circumstances, might have got through Committee to-morrow; but in face of the threat that unless that stage was concluded to-morrow, the right hon. Gentleman's Resolution to terminate the proceedings would be proposed on Monday, he begged to give Notice to the Government that he would see, without a particle of regret, those events take place which would render it necessary to put the latest New Rule in operation on Monday. If Her Majesty's Government were prepared to bring matters to that issue, the Irish Members were prepared for the consequences. If they insisted on treating Irish Members in this way, the British Constitution would be the greatest loser.

MR. HEALY: We have to thank the noble Lord the Member for Woodstock (Lord Randolph Churchill) and the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) for not having had this gagging Motion insisted on for to-morrow.

MR. BIGGAR hoped the Government would bring forward the Motion on Monday and would carry it, because he trusted that, within a limited number of years, to see some real, substantial, and *bonâ fide* Reform proposed in the House by the minority, when the majority was very different from that sitting on the opposite side, and then——

THE CHAIRMAN: The hon. Member is going beyond the Question before the Committee.

MR. BIGGAR: Then we shall have a prospect of being able to close the mouths of the minority.

THE CHAIRMAN: I tell the hon. Member he is going beyond the Question before the Committee.

MR. A. M. SULLIVAN had hoped the Committee would terminate to-morrow, and, so far as he was concerned, he would still advise hon. Friends sitting round him, notwithstanding the irritating threat which had been uttered by the Prime Minister, to allow it to close at the time they had deemed it desirable. He should avail himself of any opportunity he might have between this and to-morrow, of expressing his opinion on this point to his Colleagues without endeavouring to gag them. There were sufficient gaggers without him. As to the first part of the Prime Minister's observations in withdrawing his Motion, the right hon. Gentleman had evaded an unpleasant duty. It would have been exceedingly embarrassing if, on the very first day such a Rule was wanted, it was found upon the Table, having been framed by the Speaker immediately before its application. For a Minister to have applied a Rule on the very day it was given to the House, would have been damaging to the reputation of both the Prime Minister and the Speaker.

Motion *agreed to.*

Committee report Progress; to sit again *To-morrow.*

PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.—[BILL 1.]

(*Mr. Attorney General, Sir William Harcourt, Mr. Chamberlain, Sir Charles W. Dilke, Mr. Solicitor General.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Second Reading be deferred to Thursday 3rd March."—(*Mr. Attorney General.*)

MR. T. P. O'CONNOR said, that, as the Government would have observed, he had given Notice of Opposition to this Bill—to move "That it be read on this day six months." He, however, had no desire to keep that blocking Motion on the Paper; and if he had any encouragement to believe that the Government would meet the objection he had to the measure, he would withdraw the Notice. The Bill would be a good one if it were not for one or two blots in it; and he desired to know whether they would have any objection to accept the Amendment of the hon. Member for Stoke as to election expenses?

Motion *agreed to.*

Second Reading *deferred* till *Thursday* 3rd March.

MOTION.

INDIA OFFICE AUDITOR [SUPERANNUATION].

"Committee to consider of authorizing the payment, out of the Revenues of India, of Superannuation Allowances to the Auditor of the Accounts of the Secretary of State for India in Council and his Assistants (Queen's *Recommendat on* signified), *To-morrow.*"—(*The Marquess of Hartington.*)

Motion *agreed to.*

MR. FINIGAN: Can I oppose this, Mr. Speaker?

MR. SPEAKER: As this relates to a money Bill, the Rule as to opposed Business does not apply.

MR. H. FOWLER: Is the Committee deferred until To morrow, or Monday?

MR. SPEAKER: To-morrow.

THE MARQUESS OF HARTINGTON: I do not ask for leave to bring in the Bill To-morrow. The Motion is only to go into Committee.

MR. ARTHUR O'CONNOR: If anyone had risen in time, could not the Motion have been objected to?

MR. SPEAKER: No; because it relates to a financial question, and that is certainly excepted from the operation of the Rule with regard to opposed Business.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Friday, 18*th February*, 1881.

MINUTES.]—PUBLIC BILLS—*Committee—Report*—Solicitors' Remuneration (8-36).
Third Reading—Limitation of Actions* (5); Settled Land* (6); Conveyancing and Law of Property* (7), and *passed.*

CENTRAL ASIA — CORRESPONDENCE BETWEEN RUSSIA AND THE AMEER OF CABUL—PRODUCTION OF PAPERS.

EXPLANATION. OBSERVATIONS.

THE DUKE OF ARGYLL: My Lords, the noble Earl who was at the head of the late Government administered to me the other night a somewhat warm rebuke for not having accepted at once and upon the spot the statement made by the noble Earl the late Viceroy of India in respect to the Question which I put to him with regard to the military preparations in November, 1876, upon the Indus Frontier. I can assure the House that if I could conscientiously have accepted that statement I should have done so; but I am sure your Lordships will feel that it was absolutely my duty to come down on the earliest day and either frankly and fully accept that statement, or explain to the House the grounds upon which I am unable to do so—that is, to accept it as a complete statement of the facts. My first duty, however, is to apologize to the noble Earl the late Viceroy of India for a mistake which was entirely my fault, and not his—in saying that his note did not mention the day on which he would make his explanation. So completely taken back was I by his explanation on Tuesday last that I intended to leave the House, and I was writing in one of the rooms when a noble Lord came and told me that the noble Earl was referring to the Question. My impression was that his note did not state the day, and I was shocked to find that the noble Earl had stated the day by stating "Tuesday next," not the day of the month. I think the words were used twice, "Tuesday first" and "Tuesday next;" but the fault was entirely my own, and not his, and I fear that had I understood that the noble Lord meant Tuesday last I should have been obliged to ask him to postpone his statement for, at least, a couple of days. He took a whole week to consider his reply to my Question, and he gave me only too days, one of which was a Sunday. Now, although I had abundant evidence from officers and others, they had almost invariably said "Don't quote me;" and it was only on Wednesday last, after searching the archives of the India Office, that I was able to get the official evidence which I shall now unfold to your Lordships. Since I put my Question, I have ascertained some facts which I confess I was not aware of at the time; and I trust the House will allow me to go into a close and consecutive narrative of all I knew about the bridge of boats across the Indus until I put my Question the other day. The House will remember that the noble Earl went out as Viceroy in April, 1876. He continued to discharge the duties of that high office for two years and eight months, during which neither Parliament nor the country was informed of any of his operations. It was not until he had succeeded in driving the late Ameer of Cabul into the arms of Russia, and war had been actually declared, in the latter end of 1878, that any Papers were produced to Parliament. I believe the first knowledge that we had in this country of the noble Earl's proceedings was supplied by the Papers produced in December, 1878, shortly before the Winter Session of Parliament. Now, during the whole of 1876 and 1877 we had no knowledge whatever of what was going on in India—no knowledge of the course the Government was taking towards the Ameer of Cabul and the people of Afghanistan. It was in these circumstances that, in the month of June, 1877, the late Lord Lawrence came to me and told me that he had information from India which gave him the greatest anxiety as to the policy which the Government was thenpursuing. He told me his information was to this effect—that the Viceroy of India, under instructions from home, was insisting upon the reception of a British Envoy at Cabul; that the Ameer was being threatened by the permanent occupation by British troops of Quetta on his Candahar Frontier; that simultaneously his North-Eastern Frontier was also threatened; and, lastly, that a considerable force had been prepared upon the Indus—that a bridge of boats had been thrown across the Indus, preparatory, apparently, to the invasion of Afghanistan, or, at all events, for the purpose of threatening and frightening the Ameer into the acceptance of our conditions. I asked if he had any positive information to this effect. He replied that he had no doubt of the facts; but he wished to know what should be done under the circumstances. I replied that I should communicate privately with the Secretary of State for India, and, with his permission, I should ask a Question in Parliament, when these allegations might or might not be denied; and accordingly I had a private communication with Lord Salisbury, and in pursuance with the private Notice I gave I put this Question to him on, I think, the 7th of June. I am not going to say one word in condemnation of the reply which Lord Salisbury gave on that occasion. I am aware that Secretaries of State are often placed in a position in which they are obliged, more or less, to fence with Questions of this nature; and that, in a critical state of affairs, a Government is justified in withholding the whole truth. At the same time, I am bound to say that I put the Question to Lord Salisbury in such a form, and entering into such details and particulars, as did enable him to deny with perfect truth, as far as the answer went, the statements which had been made to me. Nothing more passed with regard to that matter, and we knew nothing more of the matter until the Papers were presented to Parliament in December, 1878. Looking back on what we now know, I am bound to say my belief is—indeed, my knowledge is—that in all the main particulars of Lord Lawrence's statement he was perfectly accurately informed. It is perfectly true that the Government had insisted on the reception of a British Agent, not, indeed, in the City of Cabul—though that was also required—but in the Kingdom of Cabul. Your Lordships will remember that the word "Cabul" is constantly used both in regard to the Kingdom and the City. Lord Salisbury denied that he had asked for the reception of a British Envoy at Cabul, meaning the City, the demand being that the Envoy should be received in certain cities of Cabul. We also know that it is true that at the time I asked my Question in June, 1877, a complete rupture had taken place between the Government of India and the Ameer of Afghanistan. Our Agent had been withdrawn, and it was no myth, but the literal truth, when I said the other night that the noble Earl had intimidated by threatening letters and had "Boycotted" the Ameer. It is also perfectly true, as Lord Lawrence then informed me, that Quetta had, for the first time, been permanently occupied by a British force. I believe it to be perfectly true, also, that arrangements had been made for sending a British Agent to Candahar, and that arrangements had been made for threatening the Ameer on that side. It is also perfectly true that the most violent threats were addressed to the Ameer by the noble Earl, of which Lord Lawrence was not aware, but which we know now. A few months before I asked my Question the Ameer had been told that if he did not conform to our wishes and agree to the terms we proposed there was nothing in our previous engagements which prevented us from wiping Afghanistan out of the map of the world—that Russia desired to make a compromise with us at his expense. All those things, which were the basis of Lord Lawrence's statement to me, were then perfectly true. I come next to the question of the bridge of boats. It is perfectly true that the Papers hitherto presented to Parliament give no explanation and no statement in regard to the military preparations on the Indus Frontier. The noble Earl referred the other night to a despatch of his, dated, I think, the 7th or 8th of March, which did acknowledge that fact of the bridge of boats. Lord Salisbury must have been in possession of that despatch when he answered my Question; but I am not the least surprised that he said he knew nothing about it, because the bridge was represented as a mere matter of detail connected with the opening of a new line of road to Kohat; and it was natural, in the press of business at the India Office, that his attention might not have been called to it. Lord Salisbury stated what was, no doubt, perfectly true, that his attention had never been called to the fact. Some days ago I ventured to ask, in consequence of the Motion read by the noble Earl on the subject of Candahar, that previous to our debate on the subject, if he had certain Papers they should be produced, that we might see what effect they might have on the inference to be drawn from the secret Papers found at Cabul; and I asked for information particularly with reference to this bridge of boats, and with regard to his military preparations, apparently directed against the Ameer. The account which the noble Earl gave was as follows:—

> "Your Lordships are, no doubt, well aware that there is a small tongue of independent and barbarous territory which juts into the old unscientific Frontier on the North West of India directly between the important fortresses of Peshawur and Kohat; and so long as the Government of India had been at peace with the turbulent tribes which populate it, all our communications between Peshawur and Kohat had been carried on straight across this tongue; but when I arrived in India, in 1876, disputes had arisen between the Frontier Tribes and the Punjaub Government, which, I need hardly remind your Lordships, has always been, and is, the local guardian of our interests, and this pass had been closed by the hostile tribes, and the Punjaub Government was blockading those tribes who had closed the road. But, unfortunately, the blockade was so ineffectual that when I visited Peshawur in the winter of 1876 there had been no fewer than eight very serious outrages perpetrated on our own territory by the Frontier Tribes and other tribes, who were supposed to be acting with them. In these circumstances, the Punjaub Government represented to me the expediency of showing those tribes that our means of communication with Kohat could be made practically independent of their permission or protection."

And the noble Earl proceeded in these words—

> "It appeared to me that at the time there was a very unfortunate, but a very marked, predisposition on the part of certain influential parties and persons in England to attribute, upon any conceivable pretext, to the Government of India certain very bellicose propensities which we were certainly very far from entertaining towards neighbours very much more important than these Frontier Tribes. Therefore, though, in ordinary circumstances, I should have regarded this proposed expedition as a very natural, a very proper, and a very efficacious measure, still, having regard to what I considered the relations of the whole situation I was dealing with, it appeared to me that it was not expedient for the Government of India at that time to sanction any military movement not absolutely indispensable which might possibly have the effect of giving even the faintest pretext for those most deplorable and mischievous impressions with regard to our policy."

The noble Earl went on to confirm this statement by reading a private letter which he had received from Sir Henry Norman, who was then his Chief Military Adviser in India, and also President of the Council. I confess that I was extremely astonished at finding a letter quoted from Sir Henry Norman in a Blue Book which had the aspect of coercing the Ameer; because it was a matter of notoriety, from letters which have appeared in the newspapers, that three of the most distinguished members of his Council, of whom Sir Henry Norman was one, Sir William Muir and Sir Arthur Hobhouse being the others, were strenuous opponents of the policy of the noble Earl; and I thought it was very unlikely that Sir Henry Norman would have addressed to the noble Earl a letter approving of his policy towards Afghanistan. However, the words of the letter which the noble Earl quoted are these—

> "The opening of the mail-cart again from Kohat to Rawul Pindi, improvement of the road, and construction of the bridge of boats over the Indus on that route will be beneficial. Your Lordship's resolution not to send a detachment to Thull, in the face of advice to do so from influential quarters, was, if I may venture to say so, admirable. What was actually ordered is desirable and can have no bad effect."

Now, that was quoted from a private letter. The noble Earl has a perfect right to quote private letters to the Government of India; and I do not wish to press him for the production of the private correspondence between him and Sir Henry Norman when he was President of the Council of India. The noble Earl has a right to consider them as private letters; but I am bound to say that if he quotes this bit of one letter from Sir Henry Norman, he ought, at least, to permit Sir Henry Norman to make any public use he likes of other private letters which may have passed between them on the same subject. I am not one of those who would attempt to deny to the Indian Government a large and free use of private correspondence. I have myself quoted private letters which have passed between Lord Mayo and myself; but I did so on the condition that every one of those letters should be accessible to every noble Lord who wished to see them; and I have no objection to every word that I wrote to Lord Mayo being published, except, of course, those on a purely private matter. But here is a letter from Sir Henry Norman praising the noble Earl for having resisted the pressure which was put upon him in influential quarters to make an expedition. Who were those influential persons who pressed the noble Earl to make this expedition? That is not explained to us. Then, where was this expedition to go to? To Thull. What has that place to do with the Afridees? That is between 50 and 60 miles from the Afridee country; and the expedition which the noble Earl was advised to make to Thull cannot possibly have been an expedition against the Afridees. Then I want to know who advised him to make it, and why did he resist that pressure? It seems to me that this is a question which the Military Advisers of the noble Earl and the present Commander-in-Chief in India may be called upon to answer. What is the date of this letter from Sir Henry Norman?—December the 3rd. But why did not the noble Earl go on to tell us what happened three days afterwards? My own belief is that these things have escaped the memory of the noble Earl. The Viceroy of India has a great deal to do, and a great deal has passed since November, 1876. I can well conceive that he has altogether forgotten the transactions that followed this congratulatory letter from Sir Henry Norman for having resisted the sending of a force to Thull. What happened three days afterwards? Do your Lordships remember where Thull is, and what it means? It is the entrance to the Kuram Valley; it is the place to which an expedition would be sent if it were meant to threaten the Ameer and to invade his territory. It appears, then, from this private letter which the noble Earl quoted, that his Military Advisers advised him to send an expedition to Thull. Well, my Lords, I find that on the 6th of December, 1876, Colonel Johnson sent the following official telegram to Calcutta, to the President in Council:—

> "Viceroy considers it highly desirable to have a flying column ready in the event of war to advance to Kuram, to give weight to any communication it may be necessary to make to the Ameer, and to be the advance column of such larger force as it may be necessary to send, if war be declared. Proposed strength—one regiment British, one Native Cavalry; two British (Cavalry), two Native Infantry regiments, two Companies Sappers, one Battery Field Artillery, one British, one Native Mountain Battery. If move on Kuram becomes necessary, Native Infantry to be increased by volunteering to 800; all corps to be picked, selected for the duty, and to be moved at once to points in the neighbourhood of Kuram. Order equipment and carriage being prepared for earliest possible movement after declaration of war. Should you see no decisive objection, His Excellancy will be glad if you will cause Commander-in-Chief to be instructed accordingly, and order such equipment and carriage as may be necessary."

How disappointed must Sir Henry Norman have been when, three days after he had been congratulating the noble Earl on his resisting the advice of high military authorities, he received an order to prepare a large military force for the possible invasion of the Kuram Valley! But this is not all. I have brought down to the House a rather bulky volume from the India Office, which contains the letters of the War Office during the remainder of December of that year, and on till the months of spring of the following year. I find that during all these months urgent orders were issued by the noble Earl to his Government for the equipment of this force. It was called the Frontier Field Force, and this morning I had a letter from an officer who was then in the district, saying that he found the whole lines blocked with trains and waggons going to the Frontier. The preparations which the noble Earl was making at that time were quite as notorious in India as the preparations which are being made for the reinforcement of Sir George Colley at present are notorious in London. There are officers without number in London who will tell you they knew all about it. I find that on the 12th of December, 10,000 blankets were ordered, and the Commissariat officers were ordered also to arrive as fast as they could. But let me now direct your attention to the bridge of boats over the Indus. No doubt, the noble Earl is right in saying that the bridge of boats was useful, the mail communication having been broken up. But there were other motives in his mind, and one of these was the preparation of a field force ordered to advance. In many ways there was absolute proof that these military preparations were being made, and they were declared by the Viceroy himself, in official telegrams, to be for the possible invasion of Afghanistan. I want to know from the noble Earl what he meant by a "declaration" of war in this telegram? The telegram says, "in the event of war." Now, what I want to know is whether that refers to war against Afghanistan or war against Russia? It must refer to one or the other. Take either alternative, and I will ask the House to consider it. A large force of 5,000 men of all arms, preceding other large forces which were also to be prepared, if necessary, was being directed against Kuram early in December. What had happened before that day? The noble Earl had just sent off his Vakeel to Cabul with a most elaborate Treaty, containing most disingenuous clauses, which he was to urge the Ameer to accept. He had accompanied that Treaty by the most violent verbal threats. He had instructed his Vakeel to tell the Ameer that he was an earthen pipkin between two iron pots—England and Russia; that there was nothing to prevent a division of his Kingdom, and that Russia was ready and eager to share the spoil. At the very moment when the noble Earl was preparing this army Shere Ali had the Treaty before him. Can the noble Earl deny that the notoriety of those preparations must have acted on the Ameer? Can he for a moment deny that the Ameer knew that he was being threatened by the noble Earl? The noble Earl confesses himself that at that time the Ameer knew it. He brings it as an accusation against the unfortunate Ameer that, although he was pretending to be too ill to answer his message, he was quite well enough to be publicly reviewing his troops and making military movements. What were those military movements? They were movements he made in answer to the threatening attitude of the noble Earl. It was as a counter-move to the preparations of the noble Earl that he moved troops down to Hyderabad, and towards the Khyber Pass. I must say that it seems to me a most unjust thing that the Government of India at that moment, having made this proposition to the Ameer, should have threatened him with a great army, and then made it an accusation against him that he had made Frontier preparations to meet it. Then, as to the other alternative. Possibly, the noble Earl meant a declaration of war against Russia. I think that is very probable. What is the inference to be drawn from it? This telegram was dated December 6, 1876; and it seems to me rather a significant coincidence that the date of Lord Salisbury's arrival at Constantinople as our Envoy at the Conference was the previous day—the 5th of December. Is it possible that the noble Earl had not received any telegram from the Home Government desiring him to make these preparations at the moment? Russia had just accepted the bases for a Conference. On looking at a book which sometimes contains useful information, *The Annual Register*, which, I believe, is written entirely without political bias, I find that on the 5th of December, 1876, Lord Salisbury arrived at Constantinople, and had an interview with General Ignatieff. *The Annual Register* says—

> "The two statesmen at once became cordially intimate, and special correspondents describe them as walking about the streets of Pera arm-in-arm."

And yet at that very moment it appears the noble Earl was preparing a great army for the purpose either of invading Afghanistan or of threatening Russia. I must remind the House of a much more important authority than anything in *The Annual Register*. I look to a despatch from my noble Friend on the Bench below me (the Earl of Derby), who was then Secretary of State for Foreign Affairs, and I find that at that very date England was giving no assistance to Turkey; but, on the other hand, England distinctly intimates that if Turkey did not give way to the wishes of Europe, Russia would declare war against Turkey, and that we would not give help to Turkey. In his despatch of the 10th of May, the noble Earl distinctly said that the Ameer was prevented from accepting his terms at this time owing to his anticipation of war between England and Russia. The noble Earl could not tell what was in the mind of the Ameer; but he could tell what was in his own mind. The noble Earl appears to have thought there would be immediate war between England and Russia, that England would support Turkey, and he was prepared for that eventuality. I have brought this matter before your Lordships for a very obvious reason. The noble Earl, the other night, said he could not conceive why I introduced the subject—what on earth was the connection between Candahar and the bridge of boats over the Indus? The noble Earl is a man of very ingenuous mind if he does not see why I introduced it. Why has he moved for the Secret Correspondence found at Cabul? What connection has that with the subject of Candahar? The connection between the two subjects is precisely the same, and I think I will show it in this way. Suppose that in the Papers at Cabul there had been found a letter from the Russian Government instructing her commanders in Bokhara to collect a force of flying columns, to prepare a force for the possible invasion of Afghanistan, and for bridging the Oxus. What would he have said to such a letter? We should never hear the end of it. We should be hearing torrents of indignation about the treachery of Russia, that she should be preparing a great army, and bridging the Oxus at the very moment when our Ambassador was walking arm-in-arm with her Ambassador at Constantinople. Can I doubt what the object of the noble Earl was in moving for the Secret Correspondence? I do not regret it. I was one of those who urged the late Government to publish this Secret Correspondence; and I can never understand why they did not do so. They had published two years ago one of the documents which was most compromising to Russia. They had already published despatches in which it appeared that long after the Treaty of Berlin—at least, a considerable time after—one of the Russian Generals was still in treaty with the Ameer. That, after all, is the most compromising document. Why, I ask, did the late Government refuse to publish the rest of that Correspondence after having published that document? My belief then was, and now is, that that Correspondence will show that there was no correspondence between Russia and the Ameer until long after the noble Earl had stimulated a rupture between England and the Ameer. And why does the noble Earl press for the publication of that Correspondence now? Because he thinks that he will embarrass the Government by the production of that Correspondence, and that it will have an effect with uninstructed people and those who do not look precisely at dates—stupid though it may seem—upon the Motion he is about to make in regard to Candahar. The noble Earl who was at the head of the late Government rebuked me the other day for speaking with what he called passion and prejudice. I acquit the noble Earl of having spoken on this matter with either passion or prejudice. It seems to me that he never speaks with either passion or prejudice; but I know no man who has greater skill in playing upon the passions or the prejudices of others; and I have no doubt that in the support which he has given to this Motion for the production of this Correspondence he wishes to raise the passions and prejudices of international hatred as bearing on the Candahar question. The noble Earl said that he wished to disembarrass the Candahar question of all passion and prejudice. Well, my Lords, so do I; and I wish it now to stand upon record, when that Correspondence shall appear, that long before the beginning of that Correspondence the noble Earl (the Earl of Lytton) and his Government—under instructions, I cannot doubt, from home—were preparing a large army, either for the invasion of Afghanistan or of Russia in Central Asia, with both of which countries we then professed to be in a state of profound amity and peace. My object in asking the Question I have done of the noble Earl was to elicit that fact; and I must conclude by repeating to this House that I am unable to accept the explanation that has been given of the matter. I myself believe that the noble Earl's memory has deceived him. I have had access to Papers found in the India Office, the existence of which the noble Earl may well have forgotten, but which I should desire to add to the Secret Correspondence, the publication of which may tend to inflame the passions of this country against the Afghan people and the Russian people; and I challenge the noble Earl to produce the whole of that private Correspondence between himself and Sir Henry Norman, of which he has already published a portion in a despatch.

THE EARL OF LYTTON: I have but a few observations to make in reference to the elaborate statement which we have just heard from the noble Duke opposite. The issue between myself and the noble Duke is a very simple one, and it stands thus. About 10 days ago the noble Duke thought fit to bring forward in this House certain definite accusations against the late Government of India, and against myself in particular—accusations which for four years previously the noble Duke had been assiduously propagating throughout India, England, and Europe, and which were based altogether upon unverified reports. In answer to those accusations I stated to your Lordships what were the actual facts of the case referred to by the noble Duke about this bridge of boats and this collection of a large army for the invasion of Afghanistan or of the Russian Possessions in Central Asia; for these were the accusations which were then brought by the noble Duke against the late Government of India. The noble Duke said that in October or November, 1876, we had built a bridge of boats and collected a large force for those purposes. At the time I explained what was the real purpose for which that bridge of boats had been made, and I showed that no large army had been collected on our Frontier for the purpose of invading either Afghanistan or the Russian Possessions in Central Asia. What did the noble Duke then do? He re-affirmed all his then unverified accusations, and he declared that he would take his own time to substantiate them. He has taken his own time, and has employed four or five days in the further prosecution of the researches he then told us he had commenced. But how has the noble Duke employed that time? His references to official and authentic documents on this subject would not have occupied 10 minutes of his time. But, not finding in these official documents any justification for the definite charges which he had brought against the late Government of India, he has once more had recourse to private and irresponsible informants, who appear to have placed him in possession of letters written to or received by them in a position of the greatest official confidence and trust. But even by this procedure the noble Duke has not substantiated the original accusations he brought against the late Indian Government; and, not having done that, he has substituted for those accusations a fresh theory, which I must be allowed to say is equally unfounded and unsubstantiated. The noble Duke now brings forward the charge that I and my Military Advisers in India plotted, I do not know whether in 1876 or 1877, an invasion of Afghanistan or of Russia in Central Asia. That accusation requires an answer plain and direct. I declare that we did nothing of the kind. Since the noble Duke has thought proper and right to refer to the other confidential communications which took place between me and my trusted Military Advisers at that time, I have no desire whatever to evade the ungracious task of correcting the construction which the noble Duke has placed upon them. I fully admit, and I am not ashamed to acknowledge, that in the year 1876 I did ask, and I did receive, from my Military Advisers confidential expressions of their personal views as to what the Army of India could do, and what might be the possible military power, and even the military action, required on the part of India in the event of hostilities, not provoked by the conduct of the late Indian Government, but brought about by circumstances obviously not under our control. And what were those circumstances? I need hardly remind your Lordships that at that time there was very great reason to fear that we were on the eve of a great European war, in which at any moment the whole power of England might be confronted by that of Russia in every part of the world. But there were other circumstances at that time to which the noble Duke has not referred, and which were more special to India. At that time three Russian Envoys had arrived at Cabul, one of whom was in the closest and most secret confidence of the Ameer. At the same time General Kaufmann had addressed a communication to the Ameer; and while the Ameer was on the terms of the closest confidence with the Russian Envoy, he was openly proclaiming, in terms of the fiercest denunciation, a religious war against us, and inciting the Frontier tribes to attack us. Under these circumstances, I now say it was the duty of the Government of India to bring to a conclusion, as rapidly and effectually as they could, consistently with dignity and safety, these quarrels in which we were still engaged with the tribes on our own border; in the next place, to place our Frontier in a condition of improved defence, to repair defects in administration and organization, and also to remedy those defects in our own military organization, which were certainly not without recognition by the Commander-in-Chief, or by myself, or by any of my Military Colleagues, who were not responsible for having left them in that state. I am not ashamed to say that the Government of India did not neglect that duty, because I think that, under the circumstances, it would have been criminal. I maintain and assert most positively that no movement of troops took place, that no military preparations were made, and that no military operations were undertaken, except such as were absolutely necessary for the legitimate purposes of Frontier defence. I declare most solemnly, my Lords, that there was no intention on my part or on the part of Her Majesty's then Government to collect or move troops for the purpose of making preparations to invade Afghanistan or to attack the military positions of Russia in Central Asia. The noble Duke has referred in support of the view he takes to an expedition to Thull which never took place, and he asked your Lordships where Thull is. Your Lordships did not require to be told that; it is very well known that it is within our own borders. Then the noble Duke has read to your Lordships a confidential telegram about a flying column, which, he suggested, was sent to Thull; but he omitted to state that the flying column was never sent at all. If the Government of India had undertaken such military preparations or operations, it would have been our imperative duty to lay our course of proceedings before Her Majesty's Government; and if the noble Duke cannot find in the archives any report of such official proceedings he might, I should think, have given to the late Government the credit for possessing sufficient common sense not to wish to provoke a premature quarrel with the Ameer, especially at a time when, although it was not known in this country, it was known to the Government of India that there was great reason to fear that in any such quarrel the Ameer would be backed up by the whole power of Russia. I trust that here or elsewhere, in any place, at any time, and to any fair challenger, I shall always be ready to explain and defend my public and official conduct as Governor General of India; and, therefore, I say that if the noble Duke has discovered any public and official documents which he thinks can justify the accusations he has made against the late Government of India, let him produce them; but if he has not, if his sole justification for these accusations is a reference to correspondence between the Viceroy and his Official Advisers upon most confidential subjects, all I can say is that, for my own part, I feel a great personal thankfulness that the noble Duke does not happen to be that particular Member of Her Majesty's Government who is at present intrusted with the delicate duty of opening confidential correspondence in its passage through the Post Office.

The Earl of NORTHBROOK: I cannot admit that the noble Earl is correct in saying that my noble Friend (the Duke of Argyll) has based any statement he made upon quotations from confidential communications. The only person who has done this, and without having first asked the leave of the writers to do so, is the noble Earl opposite, who quoted a portion of a letter written by Sir Henry Norman without asking the leave of the writer so to do. The noble Earl has said that a telegram which was quoted by my noble Friend was a confidential one; but in that statement he is altogether mistaken. I have seen the telegram; there is nothing in it to show that it was intended to be confidential; and there is this additional fact in support of the statement that it was not so intended —that it was written, not in cypher, but in plain English. This telegram gives orders to Sir Henry Norman to make certain military preparations, which, upon my life, I do not know whether the noble Earl intends now to deny or not. If the noble Earl had frankly stated the other day that these military preparations had been made, nothing further would have been said about it. In the year 1877 answers were given in your Lordships' House which showed that the then Secretary of State for India had no knowledge of these preparations. Does the noble Earl mean to deny, in the face of this telegram, that military preparations were made in 1876? The noble Earl says that such preparations never went to the extent of an absolute collection of troops at any particular place; but it must not be forgotten that such arrangements were made in regard to supplies and transport as would have enabled the troops to proceed at the shortest notice to any place to which they might have been ordered. The noble Earl may have been right or wrong in making these preparations; but the fact remains. The noble Earl has said that he was justified in making these preparations by the state of affairs in Cabul at the time, and he says that there were then Russian Envoys at Cabul. I cannot, of course, pretend to say what was passing through the mind of the Ameer of Cabul at the time; but as far as the Russian Envoys are concerned, as far as I know, the persons who were said to be Rusian Envoys were not Russians at all, but were men from Bokhara or Samarkand, bearing letters from General Kaufmann. It has often been explained that there was nothing in those letters of which the British Government had any right to complain until the noble Earl had so irritated the Ameer as to drive him into the arms of Russia. It appears to me that the statement of the noble Duke has been amply supported by official Correspondence and documents which are to be found in the Military Department of the India Office. The denial of the noble Marquess (the Marquess of Salisbury), in 1877, to my mind, places the matter in an exceedingly painful position; because it now appears that every single word spoken then by the noble Duke behind me was absolutely true, that the noble Earl did not keep the Secretary of State sufficiently informed as to what was going on in India at that time.

Viscount CRANBROOK: I suppose we shall never come to a conclusion as to what it was that disturbed the mind of the Ameer of Cabul in the circumstances referred to by the noble Earl. Whenever that great argument comes on again, I shall be prepared to show that it was disturbed long before the period to which we are now referring—long before the period at which my noble Friend (the Earl of Lytton) went to India. With respect to those preparations which are alleged to have been made by the Government, the noble Duke says that Russia knew all about them. I do not know where the noble Duke gets his brief from, whether from Russia or elsewhere. But I can only say that there was no sign or token in the Russian Press of any such knowledge on the part of Russia.

The Duke of ARGYLL: My information is derived from Colonel Brackenbury, our English officer, who wrote to *The Times*.

Viscount CRANBROOK: The noble Duke had better have quoted that letter which showed that Russia knew all about it—that is, that Russia knew all about things which, he says, were passing in secret so far as this country was concerned, and which actually did not take place. Your Lordships have heard a great deal of vague comment on the conduct of my noble Friend (the Earl of Lytton); but what is the charge that has been made against him? It is said that he ordered the construction of a bridge of boats across the Indus, and the conveyance of military stores in large quantities to Kohat and Rawul Pindee, in order to counteract Russian advances in Central Asia, or to invade Afghanistan. In answer to this, I say, in the first place, that the bridge of boats was not placed across the Indus for any such purpose as that he has represented. There is a despatch, which will be placed before your Lordships, which, I think, is in the India Office, and which will show that the bridge of boats was meant for a different purpose—that it was suggested by the Lieutenant Governor of the Punjaub, and not by my noble Friend; that its object was totally disconnected with any question of war in Afghanistan at all, and it would have been made if no such war had been contemplated either at that time or at any other. Secondly, I say that the noble Duke, having said it was true that an army was collected, is totally mistaken as to the facts, and equally so as to the effect of the quotation he made from a document—confidential or not, I do not care—which states that certain preparations were recommended. Those preparations were not carried into effect. As those recommendations were not persisted in there was no advance to Thull, nor was this great army of 5,000 men, which was to invade Central Asia by being placed within our own Frontiers, placed as he has represented. I am not so long, my Lords, acquainted with the course of proceedings in your Lordships' House as is the noble Duke; but it appears to me that the noble Duke, the other night, took a most extraordinary course. My noble Friend asked Her Majesty's Government to produce certain Papers without making any Motion, but merely asking a Question, which was courteously replied to by the noble Earl who is now at the Foreign Office; and when he had sat down, and all was apparently over, the noble Duke got up and entered upon a totally new subject, upon which he asked Questions, of which he had not given the slightest Notice, concerning the noble Earl's administration four years ago. Then, in a somewhat—I should have thought a most—irregular manner, he addressed the House upon the subject. The noble Duke spoke of communications which had taken place between my noble Friend and his Military Advisers—as if there was something remarkable in that fact. Let me ask a question of a late Viceroy (the Earl of Northbrook), who sits opposite to me. Did that noble Earl at any period in 1875 contemplate the occupation of Herat? I do not say he did; but did the noble Earl ask his Military Advisers for a specification of all that would be necessary for such an occupation, and did he obtain such a document from his Military Advisers? And if it is to be said that that has been done by the noble Earl without his having any intention at the time of invading Central Asia, I wish to know, because my noble Friend (the Earl of Lytton) obtained information from his Military Advisers—just as the War Office obtains all sorts of information with regard to all sorts of countries, though war may never be proclaimed between us and those countries—whether these allegations are to be made, and whether we are not to depend upon facts, and not on inferences such as the noble Duke proposes to draw, partly from something which he says is concealed, but partly, no doubt, from the telegram which he has read? The noble Duke says the bridge of boats was constructed as a menace to Russia. I say its construction had no such object. The noble Duke says a great army was concentrated in a certain position for the purpose of invading Afghanistan or Central Asia. My reply is, that no such concentration took place.

THE EARL OF KIMBERLEY: My Lords, I cannot speak upon this matter from any personal acquaintance with India; but I think the House should remember what is at the bottom of this discussion. The point is this—that the noble Earl the late Viceroy of India, rightly or wrongly, made a very remarkable change in our whole policy towards Afghanistan, and assumed a menacing attitude towards Russia. The noble Duke said that this great change of policy was carried out secretly for a long time, and that by an official telegram he directed that an expedition should be prepared, the purpose of which was perfectly obvious. Well, my Lords, that is no light matter. And when the noble Viscount opposite speaks of the policy of my noble Friend (the Earl of Northbrook) with respect to Herat, I have only to say that a particular passage from a letter may be made to bear a meaning which it would not bear if it were read in connection with its context. The policy of my noble Friend can be gathered from the course he consistently pursued; and no one, I believe, will be found to say that my noble Friend had any intention whatever to attack Afghanistan. On the other hand, the policy of the noble Earl opposite, while it, too, was perfectly consistent, must be judged by that in which it culminated—namely, the invasion of Afghanistan. What we complain of, my Lords, is the secrecy of that policy, the hiding of it from Parliament and the country, a want of fairness and candour in the whole matter. That is the reason the noble Duke has drawn attention to the subject; and when the noble Earl asks for proofs of the allegations made from official documents, although I freely admit that he is entitled technically to that defence, I ask him is it consistent with the course usually pursued, when the charge is that plans of a large and extensive character have been conceived, that the noble Earl should seek to shelter himself under the plea that he had not set those plans forth in official documents?

Earl CAIRNS: The noble Earl who who has just sat down commenced with a reference to his want of Indian experience, and yet confessed he was able to inform your Lordships what lay at the bottom of this discussion. I, too, am not versed in Indian matters; but I think I can also throw some light upon it. The explanation the noble Earl gives as to what was really at the bottom of the discussion was this—that preparations were made by my noble Friend in 1876, and secretly made, with a view hostile to a Power with which we were then at peace—namely, Russia. Well, my Lords, I do not think the noble Duke will thank the noble Earl very much for that explanation; for, if I understand the noble Duke aright, he complains that the preparations spoken of were made, not secretly, but openly—so openly, indeed, that they were calculated to give offence to Russia and to the Ameer of Cabul. The secrecy, therefore, of which the noble Earl spoke did not, in fact, according to the noble Duke, exist. But, my Lords, I will say something about what I believe to be at the bottom of this discussion. A few nights ago a Question was asked as to whether certain Papers found at Cabul would be produced by Her Majesty's Government. That Question was answered, and there was no occasion for anything more to be said. But the noble Duke has conceived and is impressed with a particular theory on this subject; and he has not only more than once explained that theory to your Lordships' House, but has taken occasion to ventilate it out of this House. On every occasion, with one exception, the noble Duke has asserted that the hostility to us and the alienation from us of the late Ameer of Cabul arose from the policy pursued by my noble Friend the late Viceroy of India. On the one occasion to which I have referred the issue was distinctly and clearly raised in this House, and argued as closely as any cause ever presented to this House. The noble Duke was unavoidably absent, but everything that could be said in support of his view was advanced by his Friends. Your Lordships were asked for your opinion, and by a majority, such as is seldom given in this House, his views were rejected, and the minority was found to scarcely represent one-third of the Party opposite. If the noble Duke does not think that the question has been exhausted in argument, let him throw down a distinct challenge to re-open it. I think, however, your Lordships will say that the subject is rather stale now. I venture to say now, as I have said before, that the hostility of the Ameer was caused, not by the action of my noble Friend, but by the action of the Governor who preceded him in the government of India. But so anxious is the noble Duke that his view should not be forgotten, that he could not wait for the production of the Papers, but rises in his place and sends out to the world a repetition of the charges he had before made. Those charges have been refuted; but, my Lords, I believe the noble Duke would go to the stake rather than admit that he was wrong. Nobody agrees with the noble Duke except a few noble Lords who sit near him, certainly nobody believes in his theory out of-doors; and I hope the noble Duke will not think it proper to die in defence of his theory—one upon which he founds charges which really have no foundation, although the noble Duke, no doubt, believes they have, against my noble Friend.

Earl GRANVILLE: When the noble and learned Earl insinuates that the question has been twice decided against my noble Friend the noble Duke behind me, as to the accuracy of the statement made by the noble Earl (the Earl of Lytton) the other day, I am sorry to say I am not at all of that opinion, and the more so because it struck me that the noble Earl opposite unfairly changed his mode of defence. The other day there was an absolute denial of preparations of a military character, or anything of that sort; and that was met, not by argument, but by the production of an official telegram, the importance of which may render it desirable that it should be read again—

"Viceroy considers it highly desirable to have a flying column ready in the event of war to advance to Kuram, to give weight to any communication it may be necessary to make to the Ameer, and to be the advance column of such larger force as it may be necessary to send, if war be declared. Proposed strength—one regiment British, one Native Cavalry; two British (Cavalry), two Native Infantry regiments, two Companies Sappers, one Battery

Field Artillery, one British, one Native Mountain Battery. If move on Kuram becomes necessary, Native Infantry to be increased by volunteering to 800; all corps to be picked, selected for the duty, and to be moved at once to points in the neighbourhood of Kuram. Order equipment and carriage being prepared for earliest possible movement after declaration of war. Should you see no decisive objection, His Excellency will be glad if you will cause Commander-in-Chief to be instructed accordingly, and order such equipment and carriage as may be necessary."

That is perfectly true. The intention may have been changed; but were the orders changed? At all events, these preparations were carried on to a great extent indeed. What does the noble Earl now do? He does not repeat his denial of the statement made by the noble Duke; but he takes an entirely new line, which is a very good line of the sort, but it is inconsistent with his previous statement—namely, he justifies the necessity for making such preparations at that time. He may be right; but it is a perfectly different thing from the statement made the first time. The noble Earl justifies the necessity for the preparations by telling us that the Indian Government knew of things, about the connection between Russia and Afghanistan, which were not known to the Home Government. I really should like to have some explanation on that point. When the noble Earl the late Governor General of India knew that there was this matter going on between Afghanistan and Russia, which might result in war, how is it that he did not think it his duty to inform the Government at home?

THE EARL OF LYTTON: I said that the public did not know.

EARL GRANVILLE: I thought you said the Home Government; but I accept the correction, and the more readily for another reason. The noble Duke the other day put two Questions to the noble Earl without Notice. He was justified in taking time to answer; he did answer one of the Questions; and, as we are told that the discussion on the 24th is not to be embarrassed by any references back, I presume he does not mean to answer the other Question. The noble Earl makes no reply. I do not know whether the noble Earl has any reason to conceal from the House whether he means or does not mean to give an explanation on that subject; but it is a matter that is rather interesting to me. The noble Earl sometimes refers to valuable information, which he says the new Government found in the pigeon-holes of the Office when they came into power. Well, a statement of this sort having been made by the noble Earl, we have searched the pigeon-holes of the India Office and of the Foreign Office, and we find absolutely nothing. Therefore, if the Government of India were aware of facts of which we knew nothing, I think it is important the noble Earl should explain to the House on what foundation it was he declared that Russia was prepared to divide Afghanistan with this country.

THE EARL OF BEACONSFIELD: My Lords, we have come to an Afghan debate again, of which I thought your Lordships had already had sufficient experience. But, before we leave the House, I think it expedient we should clearly understand what is the point we have to decide. The noble Earl opposite (Earl Granville) soars into high regions of politics, and asks my noble Friend to give him a sketch of the speech he is going to make on the 24th. But that, I think, is somewhat unreasonable. The noble Earl has referred to questions of high policy, which we must touch upon on that occasion, with reference to the possible relations at the time mentioned between Russia and this country. But that was not the point that was brought before us by the noble Duke. The noble Duke made an accusation the other day which was perfectly clear and simple. He said that my noble Friend the late Viceroy of India had undertaken to repair an inefficient bridge across the Indus, evidently with the intention of warlike operations. He has to-night enlarged upon that subject, and he has told us that there was a plan for congregating a considerable military force, and that this renovated bridge and the considerable military force were, if necessary, to conquer Afghanistan and check Russia. Well, it is curious; but the statement of the noble Duke that there was to be a great military force to assemble, or that there was a great military force assembled, afterwards appears to be founded on a telegram giving military instructions from the Viceroy for the assemblage of troops, and for the necessary preparations in consequence. It is possible that the estimate of the noble Duke may be correct, and that this force may have amounted to 5,000 men. A terrific force to conquer Afghanistan, and to check and control Russia! But it is not merely the number of troops composing our Army by which you test or estimate the dangers and the perils awaiting this country at that moment from this rash policy; the preparations were so considerable that there were 10,000 blankets furnished—that would be two to each man. These immense preparations alone convict my noble Friend, the late Viceroy of all the dark designs so systematically attributed to him by the noble Duke. I think there can be no doubt that the questions which were introduced by the noble Duke on the night when the personal statement was made were as unfortunate for the noble Duke as they were irregular according to the general proceedings of your Lordships' House. That statement has given an opportunity to my noble Friend to vindicate in a complete manner his policy and his conduct; and I am sure that on every occasion when the Government of India under my noble Friend is subjected to the inquiry and criticism of this House, there will be only one verdict—that which your Lordships have already given on more than one occasion—of entire approbation of his policy.

SOLICITORS' REMUNERATION BILL.

(*The Earl Cairns.*)

(NO. 8.) COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Lord DENMAN expressed a hope that the offices of Chief Justice of the Common Pleas and Chief Baron of the Exchequer would be retained. It would be most objectionable to abolish these high Offices. He gave Notice that on the 24th instant he would renew the Motion he had made on that subject.

Earl GRANVILLE wished to point out, as a matter of Order, that as the Motion had already been discussed it could not be renewed.

House in Committee accordingly; Bill *reported* without amendment: An amendment *moved;* objected to; and, on question, *resolved* in the *affirmative:* Amendments made; and Bill to be read 3ª on *Monday* next; and to be *printed* as amended. (No. 36.)

AFGHANISTAN—RETENTION OF CANDAHAR.

POSTPONEMENT OF MOTION.

The Earl of LYTTON, thinking it not improbable that by Thursday next the House might be in possession of the Coercion Bill, would postpone the Motion of which he had given Notice from Thursday, the 24th, to Monday week, when he would bring it forward.

House adjourned at Seven o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 18*th February*, 1881.

MINUTES.]—Private Bill (*by Order*)—*Second Reading*—Rotherham and Bawtry Railway.

Public Bills—*Ordered*—*First Reading*—Local Government Provisional Orders (Godalming, &c.) * [88]; Poor Removal (Ireland) * [89].

Committee—Protection of Person and Property (Ireland) [79]—*Seventh Night*—R.P.

PRIVATE BUSINESS.

ROTHERHAM AND BAWTRY RAILWAY BILL (*by Order*).

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Charles Forster.*)

Mr. BRYCE said, he had given Notice of his intention to move the rejection of the Bill at that stage, and he wished to explain why that Notice had been given. The Bill, as originally framed, proposed to take three pieces of land from three commons in the neighbourhood of Maltby; but its promoters had now agreed to insert a clause in Committee by which a deviation would be made, and no part of the common land would be taken. In consequence of that agreement, by which the interests of the public who resorted to these commons for recreation would be sufficiently protected, he (Mr. Bryce) should withdraw his opposition to the Bill.

MR. STUART-WORTLEY stated, that he also had placed a Notice on the Paper opposing the second reading of the Bill. He wished to express his satisfaction at the arrangement which had been arrived at. Large populations were interested in the preservation of this common land, and were anxious not to be deprived of the amenities they had hitherto enjoyed. He was glad that this railway, which would give an easy means of access to a pleasure ground, was not to be abandoned.

MR. CARBUTT remarked, that it was an unusual course to oppose a Bill on the second reading. The promoters, however, in this case had agreed to a make a deviation of their line to the extent of three miles. He might say this—that if the line had been constructed as was at first proposed, it would have conferred a great advantage in securing the drainage of a very boggy country, and rendering a large tract of land available for the use of Sheffield. He believed the principal ground of opposition was that the draining of this boggy land would get rid of a considerable number of rare plants which grew upon it.

Question put, and *agreed to.*

Bill read a second time, and *committed.*

QUESTIONS.

METROPOLIS—CITY OF LONDON—RECONSTRUCTION OF THE CHURCH OF ST. MARGARET, LOTHBURY.

SIR HENRY PEEK asked the Secretary of State for the Home Department, Whether it is true that the old City Church of St. Margaret Lothbury with St. Christopher-le-Stock and St. Bartholomew Exchange, seating, according to the Ordnance Map, 800 adults, is about to be "almost entirely reconstructed internally," at a very large expense, though by the Census of 1871 the population of the three united parishes was only 316, and is believed to be now much less; whether the alternate patrons, the Lord Chancellor and the Bishop of London, have been consulted on the subject; whether the moneys relied on to meet such expense will be in any part derived from voluntary subscriptions, or mainly from such funds as lately formed the subject of a Royal Commission, under the presidency of the Duke of Northumberland, and on which early legislation was recommended and has since been promised; and, whether, pending such legislation, he will take care City parochial funds are not wasted and misapplied as they have of late years been in the many ways inindicated by the Royal Commissioners, and particularly that the proposed expenditure on St. Margaret Lothbury shall at any rate be postponed?

SIR WILLIAM HARCOURT, in reply, said, the reported application of City parochial funds to the re-construction of the old City church of St. Margaret, Lothbury, with St. Christopher-le-Stock and St. Bartholomew Exchange, was not a matter with which the Home Office had any authority. He was, however, in communication with the Charity Commissioners, and hoped something might be done by them.

SOUTH AFRICA—THE TRANSVAAL (NEGOTIATIONS).

SIR HENRY TYLER asked the First Lord of the Treasury, with reference to the report (p. 25, Transvaal Blue Book) of Mr. Hudson, Colonial Secretary, Transvaal, dated December 1st, 1880, to Sir Owen Lanyon, of his interview with Mr. Paul Krüger, at the Boer Laarger, twenty miles from Potchefstroom, and to the following extract from his dialogue with Mr. Paul Krüger:—

> "Mr. Krüger—The Government has precipitated matters, the people are impatient, and matters are now serious. Had the Government waited, the Committee would have laid before the people on the 9th January Mr. Gladstone's proposals, and have been prepared to take action on them, and matters peaceably arranged.
>
> "Mr. Hudson—The Government has received no information from the Committee of the object of the meeting, or any intimation that any proposals from Mr. Gladstone had been received, or were to be discussed; at least I never heard of it;"

whether he has made any proposals to the Boers of the Transvaal independently of the Colonial Secretary in England, or of Sir Owen Lanyon; and, if so, when; whether Mr. Krüger had any justification in referring to "Mr. Gladstone's proposals;" and, whether Mr. Hudson and Sir Owen Lanyon were placed at a disadvantage in communicating with the Boers in ignorance of communications addressed by the Home Government to the Boers directly, and not through the Colonial authorities?

Mr. GLADSTONE: Sir, in reply to the Question which is addressed to me at some length by the hon. Baronet the Member for Harwich, my answer will be very brief; and it really comes to this—that I am entirely at a loss to see what can be meant by what appear to be called "Mr. Gladstone's proposals." I am not aware of having at any time, in any shape, or to any person, made any proposal whatever. That being so, therefore, there must, I think, be some misapprehension on the part of my hon. Friend who has put the Question.

Sir HENRY TYLER asked the First Lord of the Treasury, in reference to the telegram from the President of the Orange Free State to the Administrator, Cape Town, dated 6th December 1880, "on the very serious aspect of affairs in the Transvaal," and "to a collision which seems imminent,"—to Lord Kimberley's written reply dated 1st January 1881, regretting,

> "Having regard to the grave importance of the question to which these telegrams relate, that Sir G. Strahan did not communicate them to me by telegraph;"

—to Sir Owen Lanyon's Despatch dated 5th December 1880, and received in London on the 5th January 1881,—and to other despatches in the Transvaal Blue Book, If he would explain why means were not adopted for sooner strengthening our forces in Natal and the Transvaal, with a view to preventing an actual outbreak from taking place with any probability of temporary success?

Mr. GLADSTONE: With respect to these further Questions, I will not refer to the particulars of them; but the purport is how it comes that in respect to certain communications, with certain dates, Her Majesty's Government did not adopt the military means to strengthen our forces in Natal and the Transvaal, with the view of preventing an actual outbreak. Well, Sir, there are three of those communications. The first is a telegram from the President of the Orange Free State to the Administrator, Sir George Strahan, in Cape Town, dated 6th December, 1880. That date, undoubtedly, was a considerable time before any military preparations were made in this country. With respect to that I have to say, what, I believe, the hon. Baronet may know, that it was a very considerable time indeed after the date of that communication before it reached us. It was, unfortunately, not transmitted to us by telegram, and only came to us at a comparatively late period. With respect to Lord Kimberley's letter of January 1, and the telegram received on the 5th, I have only to say that Her Majesty's Government had no intimation whatever or any means of judging that it was probable that the Boers meditated a rising of the nature of that which has taken place until the 30th December, and that, instantly upon receipt of that first disquieting communication, measures were taken with, I must say, in my opinion, very great promptitude. The first military decision was taken on the 21st, and the order was given for the despatch of troops on the 23rd; but, generally speaking, the answer to the Question would be that no information had reached the Government from their officers in any part of South Africa that led them to believe that it was likely that any such rising as has taken place would occur before the actual time at which my right hon. Friend the Secretary of State for War proceeded with the greatest possible despatch to strengthen the forces in South Africa.

Sir HENRY TYLER asked, Whether a telegram was not received on December 4, stating that the attitude of the Boers rendered necessary an increase of the forces at Pretoria?

Mr. GLADSTONE: I am not aware, Sir, of any telegram that could have led to the taking of any military measures here before the time when such measures were taken. But probably it will be more satisfactory to the hon. Baronet to place upon the Notice Paper the precise terms of his Question.

STATE OF IRELAND—POSSESSION OF ARMS.

Mr. HEALY asked Mr. Attorney General for Ireland, Whether it is the fact that at the recent Cork Winter Assizes Judge Fitzgerald stated in his address to the Grand Jury that "every farmer's boy in the country appeared to carry a gun or revolver;" whether most of the cases for trial were charges of forcible entry of farms, in which the parties were charged with taking possession of lands "by force and arms;" whether it is the fact that in such cases the Grand Jury had to return the Bills of Indictment to the Crown Solicitors for the purpose of having the allegations as to the use of "force and arms" struck out, there being no evidence to sustain the same; and, whether the charge of Judge Fitzgerald had considerable influence in inducing the Government to introduce the Coercion and Arms Bills?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): Sir, I believe the learned Judge did, on the occasion referred to by the hon. Member, state that, as far as he could see from the official Reports furnished to him, every farmer's son or boy in some parts of the country appeared to carry a gun or revolver. With regard to the second part of the Question, a very considerable number of the cases for trial at the late Munster Winter Assizes were for the crime known as "forcible entry," which, like any other crime of violence, is generally described in the indictment as committed "with force and arms." Those technical words, however, are not at all necessary, having been long since dispensed with by Act of Parliament. In most of those cases which were tried at Cork there was, as I am informed, evidence of the assailants having carried firearms. In a few cases, however, in which it was not shown that firearms were so carried, some of the Grand Jury, misapprehending the meaning of the word "arms" in the technical formula "with force and arms," appear to have felt a difficulty about finding the bills; and to facilitate matters, as those words were wholly unnecessary, they were struck out of the bill, the offence of "forcible entry" being sufficiently charged without them. As to the last part of the Question of the hon. Member, I must very respectfully decline to offer any answer to it. Information on that point must be obtained, if at all, from a Cabinet Minister.

WHOLESALE AND RETAIL DEALERS (METROPOLIS).

MR. FINIGAN asked the President of the Board of Trade, If he will inquire into the existence of a combination entered into in the City of London by some 72 trading firms, by which they have agreed not in future to tender for stocks in competition with any firm carrying on a retail business, but to withdraw their offer if any firm not exclusively wholesale be permitted to tender; and, whether such combination is strictly legal?

MR. CHAMBERLAIN: Sir, I have received no information whatever in reference to the subject of this Question. No complaints have reached me with regard to the matter, and I do not think any public interest would be served by making further inquiry into it.

STATE OF IRELAND—PUBLIC MEETINGS—DOMICILIARY VISITS OF THE POLICE.

MR. LALOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Was it by order of the Government that two policemen were posted at the door of a private person in the town of Portarlington, Queen's County, on the 9th instant, in order to take down in a note book the names of the persons who entered for the purpose of attending a meeting, convened by public placards, to establish a branch of the Irish National Land League; and, if he will inform the House for what reason a land meeting which had been advertised to take place previously, in the same town, had been prohibited by the Lord Lieutenant?

MR. W. E. FORSTER, in reply, said, the first part of the Question only appeared on the Paper the day before, and he yesterday sent to Dublin with respect to it, and he had not up to this time received a Report. He believed that the Constabulary authorities in Dublin had referred it to the local police. With regard to the second part of the Question, he had to state that informations were laid before the Government to the effect that a Land League meeting and a rival meeting were to be held at Portarlington on the 19th ultimo, and that the first-named was called together for the purpose of denouncing and intimidating certain of Her Majesty's subjects, and deterring them from exercising their lawful rights. The informations stated that they were likely to lead to a breach of the peace if permitted to be held; and the Government, therefore, prohibited both meetings by proclamation.

The O'DONOGHUE asked the Chief Secretary to the Lord Lieutenant of Ireland, If he can state whether the magistrates who proclaimed and prohibited the land meeting announced to be held at Causeway, in Kerry, on the 6th instant resided in the locality, or how near to it; what was the reason assigned in the proclamation for prohibiting the meeting; and, whether it is true that Mr. Massey, the stipendiary magistrate, read the Riot Act, although there was no riot or disturbance of any kind, and compelled the people, by threatening to employ the police and military, to leave the village of Causeway, although there was no attempt to hold the meeting, and Mr. Massey was assured by its organisers that no attempt to hold it would be made?

Mr. W. E. FORSTER, in reply, said, that the names of the magistrates who prohibited the meeting were printed at the foot of the proclamation—they were Lord Ventry, Major Rowan, the MacGillicuddy, and Mr. Massey, R.M., all magistrates of the county; but he did not know how far their residences were from Causeway. The reason assigned in the proclamation for the prohibition of the meeting was that informations on oath had been sworn that certain magistrates of the county would be denounced at the meeting, and a breach of the peace would probably take place. A large crowd of 3,000 or 4,000 people assembled in the village, and, notwithstanding the advice of some priests who were present, remained there. They continued to assemble until about 3 o'clock in the afternoon, when Mr. Massey, with a view of dispersing them, read the Riot Act; but this had no effect, and he read it again. Finally, he had to employ the police and military in clearing the street, which was done with as little violence as possible, and he believed no one was injured.

The O'DONOGHUE: Was there any riot?

Mr. W. E. FORSTER: I have given the whole of the particulars.

The O'DONOGHUE: I had intended to put a Question to the Attorney General for Ireland; but, in his absence, I shall put it to the right hon. Gentleman the Home Secretary, who is, no doubt, equally well qualified to answer it. It is, Whether it is a lawful proceeding for magistrates to read the Riot Act in cases where there is no riot or disturbance of any kind?

Sir WILLIAM HARCOURT: I must ask the hon. Gentleman to put the Question down upon the Paper.

CRIMINAL LAW (IRELAND)—ALLEGED DETENTION OF WITNESSES.

Mr. REDMOND asked the Chief Secretary to the Lord Lieutenant of Ireland, in reference to the detention by the Police without warrant of Margaret and Mary Cushin, Whether those girls were taken into custody before it was known what evidence they could give, and detained after it was ascertained that they could give no evidence materially affecting any individual, and only released on service of a conditional order for a writ of Habeas Corpus upon the constable having charge of them; and, whether he is aware that they have stated their readiness to prove by affidavits that they were kept in detention against their will and in spite of repeated demands for their release?

Mr. W. E. FORSTER, in reply, said, this was the subject of an answer to another Question from the same hon. Gentleman on the previous day. It was not correct to say that the girls in question had been taken into custody. They gave their evidence voluntarily, and were examined by the Crown Solicitor, who considered it important. As he had previously stated, they remained in Dublin under the care of a married constable's wife, until the 13th September, when their father asked that they should be allowed to go home. The sub-inspector of the district, the following day, made an order to allow them to return, and he stated in that order—"It is to be clearly understood that these girls are not to be detained against their will." The girls, on being questioned, desired to go home, and it was arranged that their father should call for them the next morning. He, however, did not come, and they consequently remained until they voluntarily went home. On the 15th September, a solicitor made an application in the Court of Queen's Bench for a conditional order for a writ of Habeas Corpus to have the girls given up, and the application was granted; but as they were sent home on the 17th instant, the conditional order was discharged. As to the last part of the Question, he could not say whether these girls had or had not stated that they were prepared to swear an affidavit that they were detained against their will.

CHRONOLOGICAL TABLE AND INDEX OF STATUTES.

MR. MACDONALD asked the Secretary to the Treasury, If his atttention has been directed to an announcement in page 16 of the Controller for the Stationery Office's Report, which sets forth that certain law reporters are to have copies of the Chronological Table and Index of Statutes at the rate of five shillings per volume, but that the public will require to pay ten shillings per volume; and, whether Members of the House of Commons are of the public, and why they are to be compelled to pay five shillings more per volume than the law reporters; further, why the volumes are not among those that are laid upon the Table of the House and distributed to Members?

LORD FREDERICK CAVENDISH: Sir, until 1879 the Chronological Index of the Statutes was published by the Queen's Printers at their own risk. The last edition so published was sold to the public at 29*s.*, and to the Government at 21*s.* 9*d.* a copy. By a private agreement made with the publishers, 5,000 copies were supplied to the Council of Law Reporting at 5*s.* a copy. In 1879 the publication was undertaken by the Stationery Office. The volume, containing some 1,200 pages, is now offered to the public at 10*s.* a copy, which, owing to the limited demand for the book, is considerably less than the cost price of the paper and printing. The Council of Law Reporting, who are not reporters publishing for profit, but an official and representative body, having offered to take 5,000 copies of the forthcoming edition at 5*s.* a copy, which covers the cost when so large a number is printed, their offer has been accepted by the Treasury. Unless there is a general desire that the Index should be presented to Parliament and distributed to Members, I do not think that it would be desirable to do so, as the volume is very bulky and is of a somewhat technical character, and, as it has to be republished at short intervals, the cost of so doing would be very considerable.

MR. MACDONALD asked, whether the House was to understand that, as the cost to the public was 10*s.* a copy, the Council of Law Reporting was being supplied at a loss to the public?

LORD FREDERICK CAVENDISH, in reply, said, that the large number made the difference—5,000 copies could be produced at a much less cost, proportionately, than 500.

FRENCH MERCANTILE MARINE—BOUNTIES ON SHIPPING.

MR. W. HOLMS asked the Under Secretary of State for Foreign Affairs, If he can inform the House what are the charges imposed on the Mercantile Navy of France for the recruitment and service of the Military Navy, to which reference is made in the French Mercantile Marine Act of 29th January 1881, in the following terms:—

> "Article 9. As compensation for charges imposed on the Mercantile Navy for the recruitment and service of the Military Navy, a navigation bounty shall be granted, during ten years from the date of publication of this Law, to all French vessels, sailing or steam. It is fixed at 1 fr. 50 c. per register ton, and per 1,000 miles run for vessels of French construction fresh off the stocks, and decreases annually by—
>
> 0·075 fr. for wooden vessels;
> 0·075 fr. for composite vessels;
> 0·05 fr. for iron vessels.
>
> For foreign-built vessels the bounty is reduced to one-half of the assigned amount. The bounty is increased by 15 per cent. for steamers built according to plans previously approved of by the Marine Department;"

and, if he can further state to what extent the charges referred to are calculated to go against the bounty?

SIR CHARLES W. DILKE: Sir, Her Majesty's Ambassador at Paris has been requested to forward a Report upon the charges to which the Mercantile Navy of France is subjected in connection with the "Inscription Maritime," and I hope to be able very shortly to supply my hon. Friend with the information which he requires.

AFGHANISTAN—CANDAHAR (COST OF RETENTION).

SIR WILLIAM PALLISER asked the Secretary of State for India, Whether the framers of the estimate of the cost of occupying Candahar are advocates of a retirement from that place; whether he is aware that the cost of occupation has been estimated by other competent authorities at a very moderate sum; whether he would call upon the Governor General in Council for a Report on the number of troops required for the occupation of Candahar and the protection of the line of communications, and on the annual cost thereof, under the assumption that the Railway to Candahar has been completed; whether the Members of Her Majesty's Government were aware of the contents of the Cabul Correspondence at the time they first expressed themselves in favour of a retirement from Candahar; and, whether, in the event of it being proved that the retention of Candahar would materially add to the stability of the Indian Empire and to the sense of security there, Her Majesty's Government would be willing to review the whole question by the fresh light which, in these circumstances, would be thrown upon it?

THE MARQUESS OF HARTINGTON: Sir, it is quite true that the estimate to which the hon. and gallant Gentleman refers has been prepared by an officer who is opposed to the retention of Candahar. It is also true that other high authorities have stated that, in their opinion, the cost of the occupation would amount to a much smaller sum. But I am not aware that any of those opinions are based upon any detailed statement or detailed consideration of the cost that would be involved. I promised that Papers on the subject would be laid on the Table as soon as possible; and I would ask the hon. and gallant Gentleman to wait until he sees the documents on which the estimates are framed. I do not think any advantage would be derived from calling upon the Governor General in Council for a Report of the number of troops required for the occupation of Candahar. Such a Report or estimate must be, to a very great extent, founded on the basis of conjecture; and the hon. and gallant Gentleman will see that the estimate, to which reference has already been made, is founded on the basis of the actual number of troops at present on the station at Candahar and the line of communications, which has been settled and determined on by the Government of India itself. I have already stated that Her Majesty's Government were fully aware of the contents of the Cabul Correspondence when they arrived at the decision to retire from Candahar; and, in reply to the last part of the Question, I need hardly say that in the event of it being proved to the satisfaction of the Government that "the retention of Candahar would materially add to the stability of the Indian Empire" they would be quite ready to re-consider their decision. I cannot, however, hold out any hope to the hon. and gallant Member that any such thing is likely to be proved to the satisfaction of Her Majesty's Government.

CRIMINAL LAW (IRELAND)—ARRESTS AT THURLES.

MR. DILLON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that on January 22 a number of men were returned for trial by the Thurles bench of magistrates, on a charge of having "walked in procession round a piece of grazing ground;" whether bail was refused; whether these men were removed to Nenagh Gaol handcuffed in pairs; whether they were kept without food from early on Monday morning till the following morning, and were then informed that they would not breakfast till they worked for it; whether, on their refusal to work, they were kept fasting till midday; whether they can see their friends only through an iron gate, and are held during the interview by two warders; whether they are allowed only one hour for exercise during the day, and are threatened with the black hole if they speak to or even smile at each other; whether he will order a sworn investigation into this case; and, if he find that the facts are as above stated, whether he will mark his disapproval of these proceedings, and give adequate compensation to the sufferers?

MR. W. E. FORSTER, in reply, said, that he had not received sufficient Notice of the Question, and would require it to be deferred.

ARMY—AUXILIARY FORCES—HERTFORDSHIRE MILITIA.

MR. HALSEY asked the Secretary of State for War, Whether it is his intention to remove the head-quarters of the Hertfordshire Militia to the Depôt Centre at Bedford?

MR. CHILDERS: Sir, in reply to the hon Member, I have to state that, under the Localization Act of 1872, the Hertfordshire Militia should have its head-quarters at Bedford Brigade Depôt; but the question of the removal of this and other Militia regiments to brigade depôts is under the special consideration of a Committee at the War Office.

POST OFFICE—CROSSED POSTAL NOTES.

Mr. MACLIVER asked the Postmaster General, If he is aware that the bankers at Plymouth, including the Branch Bank of England, refuse to take crossed postal notes from their customers, on account of the trouble and delay caused in obtaining their value from the Post Office authorities; and, whether postal notes, representing money received by the Post Office, should not be paid to the holders on presentation at any local office?

Mr. FAWCETT, in reply, said, that he believed there were six banks in Plymouth, and that out of those, three, including the Branch Bank of England, had entered into an arrangement with the Post Office enabling them to receive payment of postal notes immediately. For the purpose of security, however, it had been arranged that when a postal order had the name of a particular money-order office endorsed upon it, that order should only be paid at that office, unless presented by a banker.

ARMY—ROYAL HIBERNIAN MILITARY SCHOOL, DUBLIN.

Mr. W. J. CORBET asked the Under Secretary of State for War, If he has yet received any Report of the investigation ordered by him into the conduct and management of the Royal Hibernian Military School, Dublin, particularly with regard to the undue severity stated to have been used in inflicting corporal punishment on the boys; and, if so, whether he has any objection to lay a Copy of the Report upon the Table of the House?

Mr. CHILDERS: Sir, the Report the hon. Member refers to has not yet been received. The investigation was not ordered by me, but by the Commander-in-Chief in Ireland. When the Report comes to me I will read it carefully, and I will consider whether it may be laid on the Table of the House or not.

ARMY—ENGINEER OFFICERS (GREENWICH PENSIONS).

Captain PRICE asked the Civil Lord of the Admiralty, Whether his attention has been called to the small number of Greenwich Pensions allotted to Engineer officers in the Navy; and if the Admiralty propse to make any alteration?

Mr. T. BRASSEY: Sir, the claims of Engineer officers to Greenwich pensions have been carefully considered, and it has been thought equitable to increase the number allotted to that branch of the Service. A Memorial has been submitted for Her Majesty's approval, increasing the number of pensions for Engineers by one pension of £80 a-year and eight pensions of £50 a-year. The total number of Greenwich pensions available for Engineers will be raised, under the new Regulations, from eight to 17.

ARMY—UNIFORMS FOR SOUTH AFRICA.

Mr. WARTON (for Colonel Barne) asked the Secretary of State for War, Whether the reinforcements under orders to proceed to the Transvaal will be sent out in their present conspicuous uniforms and accoutrements, and thus enable the Boers to shoot them down without danger to themselves; or, whether he will provide them with cloth of a neutral colour, to be made up on the voyage, and thus place them on even terms with their foe?

Mr. CHILDERS: Sir, my Military Advisers have well considered this question; but the Commander-in-Chief does not think it desirable to alter the uniforms of the regiments proceeding to South Africa.

NAVY—THE ROYAL MARINE FORCES—INCREASE OF PAY—LONG STANDING OF SENIOR LIEUTENANTS.

Captain PRICE asked the Secretary to the Admiralty, Whether the non-commissioned officers and men of the Royal Marine Forces have had extended to them the increase of pay granted to their comrades in the Army in 1873 and 1876, or that granted to seamen of the Navy in 1877; and, whether it is the case that the private of Marines doing duty in garrison in Ireland receives more pay than the private of the same corps doing duty in garrison in England; and, if so, for what reason? The hon. and gallant Member also asked, If any steps are being taken to lessen the long standing of the senior lieutenants of the

Royal Marine Light Infantry; and, what reply has been given to the memorials to the Board of Admiralty on this matter?

MR. TREVELYAN: Sir, when the increase of pay was granted to the Army and Navy at the dates of 1873, 1876, and 1877, the then Boards of Admiralty considered the question, and came to the conclusion not to grant the same increase to the Marines. I will not go into the reasons for that decision, nor does the hon. and gallant Member ask for them. The private of Marines doing duty in Ireland loses one of the great advantages of the Marine Corps as opposed to the Army, that of being permanently settled in the same fixed quarters, and he consequently is for the time placed on a level with the Army in regard to pay. The First Lord of the Admiralty has had personal interviews with senior lieutenants of the Royal Marines, and he is fully alive to the position of those officers, and to other questions relating to the Corps of Royal Marines. When the proposals of the Secretary of State for War with regard to the Army have been submitted to the House of Commons and finally settled and arranged, questions relating to the Royal Marines will be carefully and, I hope, not ineffectually dealt with by the Admiralty.

COAL MINES—THE RIOTS IN SOUTH YORKSHIRE.

MR. LALOR asked the Secretary of State for the Home Department, If it is true, as stated in the public prints, that on the 16th instant, at New Seaham Colliery, Yorkshire, a gang of 200 men assembled and marched to the houses of some of the men who have continued at work. Several were fearfully beaten, their homes being also broken into, and the furniture broken. The men were intimidated and prevented from going to work. A strong force of policemen now guard the Colliery, and great excitement prevails. Another immense gathering of South Yorkshire colliers was held near Barnsley on the same day, when it was resolved not to commence work until the full advance had been generally conceded; and, in view of the length of time which these riotous proceedings have been allowed to continue in the North of England, is it the intention of Her Majesty's Ministers to apply to Parliament for any extraordinary powers to suppress those outrages?

SIR WILLIAM HARCOURT, in reply, said, the hon. Member had not given him sufficient Notice to enable him to ascertain the particular facts in this case. He was aware, however, of the general fact that a very deplorable series of disturbances had recently occurred in the colliery districts; and as to the last part of the Question, he could only reply, as he had done to several similar ones already, that there had been no difficulty found in applying the ordinary law to these cases.

PARLIAMENT—PUBLIC BUSINESS (URGENCY)—THE NEW RULES.

SIR STAFFORD NORTHCOTE: Sir, I desire, with your permission, to put a Question to you which will require a very few words of explanation. In the event of the Prime Minister making on Monday, or any other day, a Motion similar to that of which he yesterday gave Notice that he would move to-day under the new Rules, it will be necessary for the House to vote at once on that Motion without any opportunity for debate or even asking questions. Under those circumstances, many hon. Gentlemen, who are well disposed in substance to the proposal, would feel themselves embarrassed on particular points; and I am desirous, on behalf of a number of Friends of my own, to mention two points on which they feel particular difficulty, and to ask you a Question—Whether it would be in your power, either by any new Rule, or by any explanation of the Rules which already exist, to remove the difficulty they feel? The first of these points is this. We understand from the Rules that, in the event of our adopting the Motion that it is intended to propose, it would be impossible for the House, after the hour of 12, not only to discuss, but even to vote upon any Amendments that had not before that been reached, even though such an Amendment might have been long on the Paper, might be in itself of importance, and might involve matters that had not been touched by any previous Amendment. Then the second of the difficulties is this—that, according to these Rules, as soon as the Motion has been adopted by the Committee, it will not be competent for more than one hon. Member on each side to address the Committee on any particular Amendment. That will cause a peculiar difficulty with many hon. Gentlemen who sit on this side of the House, because they have studiously abstained from putting down any Amendments themselves; and, therefore, the discussion which would be allowed would be a discussion from which they would be excluded. If it were an Amendment proposed by any hon. Member who sits in another part of the House he would first state his case, and the Minister would state what he had to say in reply. But the Members who have not the same advantage would be unable to express any opinion, even though they might be desirous to support the Government. Whatever course they might be desirous to take, they would be precluded from expressing an opinion. These are felt, Sir, to be two great difficulties which might greatly embarrass hon. Gentlemen in the vote they might be called upon to give in the event of that Motion being made, and I wish respectfully to ask you—to appeal to you, if I may so speak—to consider the position, and to consider whether it will be possible to relieve us of these difficulties, wholly or partially, by an amendment or explanation of the Rules. I do not wish, Sir, to press you inconveniently to give an answer at the present moment; but I hope that you will consider the matter before we are called upon to vote upon the Prime Minister's Motion.

MR. W. HOLMS: I wish also, Sir, to put to you the following Questions:—1, Whether the additional Rules framed for the regulation of the Business of the House while the state of Public Business is urgent are applicable during this Session only? 2, Whether, as regards Rule 1, the Motion may be made by a private Member of this House, or must be made by a responsible Minister of the Crown?

MR. SPEAKER: With respect to the Question put to me by the right hon. Gentleman, I have to say that the points which he has brought under my notice have not escaped my attention, and the House will readily believe that I have for many days given my most anxious attention to the framing of these Rules. I believe I shall best consult the wishes of the House if I defer till the next Sitting of the House my answer to the Question which the right hon. Gentleman puts; and I would ask leave of the hon. Member for Paisley to postpone my answer to his Questions also.

ORDER OF THE DAY.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL.—[BILL 79.]

(*Mr. W. E. Forster, Mr. Gladstone, Sir William Harcourt.*)

COMMITTEE. [*Progress 17th February.*]

[SEVENTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Power of Lord Lieutenant to arrest and detain).

MR. O'DONNELL moved as an Amendment, in page 2, line 6, after "Ireland," to insert "the Parliamentary Representatives of Ireland."

THE CHAIRMAN: I must point out to the hon. Member that the Amendment which he proposes to move—namely, the insertion of the words "the Parliamentary representatives of Ireland," is inconsistent with the whole tenor of that portion of the Bill to which the Committee has already agreed, and, therefore, cannot be put.

MR. O'DONNELL would suggest that the Amendment might be altered. He had thought that there might be an objection to that form, as he had placed it on the Paper; but he thought that it might be amended so as to make it regular. His object was not to molest the authority of the Lord Lieutenant, but to relieve him, to some extent, of his responsibility; and he, therefore, wished to insert a proviso, which would allow the Lord Lieutenant, in addition to taking the advice of the Privy Council, to consult the Parliamentary Representatives of the Irish people. The Amendment which he proposed to insert in the Notice as it appeared upon the Paper would make the proposal stand thus—

> "And the Parliamentary representative or representatives, of the part of Ireland specified as prescribed."

The Parliamentary Representatives were the Constitutional medium between the people of any part of the country and Her Majesty's Government, and any complaint or any representations made by the people ought to come from the Lord Lieutenant through the Parliamentary Representatives. Therefore, instead of saying "the Parliamentary Representatives of Ireland," he would submit—

> "And the Parliamentary representative or representatives of the part of Ireland specified as prescribed."

He believed that this would tend to bring the popular feeling in unison with the Act of Parliament.

The CHAIRMAN: The hon. Member will see that the Amendment, as altered, amounts to precisely the same thing. The Amendment is quite inconsistent with the provisions of the Bill that have already been agreed to.

Mr. GRAY rose to move, as an Amendment, in page 2, line 7, at end of sub-section (4), to add "but no portion of the County of Carlow shall be included in such district."

The CHAIRMAN: I must hold that this Amendment, and several other Amendments of a similar character, of which Notice have been given, are inadmissible according to the Rules of the House, as being inconsistent with other provisions of the Bill to which the Committee have already agreed. In sub-section (1), in the clause under consideration, power is given to the Lord Lieutenant to arrest and detain persons for certain offences committed in prescribed districts, and sub-section (4) defines prescribed districts to be any part of Ireland in this behalf specified by an order of the Lord Lieutenant. The discretion and responsibility in regard to these prescribed districts are accordingly vested in the Lord Lieutenant. This, and other Amendments, would exclude a considerable part of Ireland from the operation of the Bill, although the Committee have already decided to place the whole of Ireland under its provisions.

Mr. GRAY: Do I understand, Sir, your ruling to be that when general words have been introduced into a clause it is not competent for other words to be subsequently introduced to limit its operation?

The CHAIRMAN: I have exactly stated my reasons for the ruling. The first Amendment that is in order is one that also stands in the name of the hon. Member for Carlow (Mr. Gray); but I would suggest to the hon. Member that it is not in the right place. There is no objection to the form of the Amendment; but only to the place in which it is proposed to insert it.

Mr. O'DONNELL said, he was desirous of proposing an Amendment to sub-section (4), by adding a proviso to the effect that no district should be prescribed for the purposes of this Act without a preliminary investigation as to whether the existing disturbance was traceable to, or was caused by, the extortion of exorbitant rents in a population declared to be distressed by the Relief Acts of 1879 and 1880. He would ask, in the first place, whether the right hon. Gentleman in the Chair would consider such a provision compatible with the purposes of this Bill? He would take the advice of the Chairman on the point of Order first.

The CHAIRMAN: Will the hon. Member bring up the exact words of his Amendment, as I have not been able to follow him.

Mr. O'Donnell having complied,

The CHAIRMAN: I must inform the hon. Member that this proposed Amendment is inadmissible, being beyond the objects contemplated under the Bill, which deals only with criminal action, and has nothing to do with civil contracts. I will now call upon the hon. Member for Westmeath (Mr. Gill) to propose his Amendment.

Mr. GRAY: I understood you to rule, Sir, that my Amendment was in Order.

The CHAIRMAN: It is perfectly in Order as far as the words go; but the hon. Member does not propose to insert it in the proper place. If he will bring it up as a new clause, or lower down in the present clause, he will be quite in Order. The position in which he proposes to introduce it in the Bill is not applicable to the object of the Amendment.

Mr. T. D. SULLIVAN: Does your ruling, Sir, apply to the Amendment which I have placed upon the Paper—

> "Provided, That no district shall be so specified unless and until some one or more of the offences specified in the first sub-section of this Clause have been committed therein after the passing of this Act: Provided also, That no district in which any such offence may have been committed shall be deemed to be of greater extent than the barony in which it has been committed."

THE CHAIRMAN: Exactly. It would limit the size of a "prescribed district" to a barony, whereas the Committee have already agreed to leave the size to the judgment and discretion of the Lord Lieutenant.

MR. GILL rose to move, as an Amendment, in page 2, sub-section(4) to insert the following sub-section:—

> "The families of persons detained under this Act, or persons dependent upon them, who may be rendered destitute or deprived of their usual means of support owing to such detention, shall be entitled to out-door relief suited to their station, anything to the contrary notwithstanding in the Acts relating to the Relief of the Poor in Ireland."

THE CHAIRMAN: I must point out to the hon. Member that there has been an understanding come to that a clause carrying into effect the object of this Amendment should be brought up on the Report.

MR. PARNELL thought that the Amendment of his hon. Friend the Member for Westmeath (Mr. Gill) was not postponed by the Committee until the Report, but was postponed until the Chief Secretary to the Lord Lieutenant had time to inquire into the details of the operation of the Poor Law in Ireland.

MR. W. E. FORSTER intimated that, after the clauses of the Bill had been disposed of, he should be able to state to the Committee the course the Government proposed to take in this matter.

MR. LEAMY rose to move, as an Amendment, in Clause 2, after the word "county," in line 12, the insertion of the following words:—"Which suspect shall have been arrested under the said warrant."

THE CHAIRMAN: Before the hon. Member moves this, I have first to put the Question on the adoption of Clause 1.

Motion made, and Question put, "That Clause 1, as amended, stand part of the Bill."

The Committee *divided*:—Ayes 302; Noes 44: Majority 258.—(Div. List, No. 56.)

Clause 2 (Supplemental provisions as to warrants, &c.)

MR. M'COAN in rising to move, as an Amendment, in page 2, line 11, after the word "Act," to insert—

> "Together with a succinct statement of the grounds on which the person arrested has been held to be reasonably suspected, and together with the name or names of the person or persons on whose information such reasonable suspicion has been based,"

said, he ventured to think that the reasonableness of the Amendment would commend itself to the right hon. Gentleman the Chief Secretary for Ireland. Its object was to secure that with the warrant should be filed a statement of the grounds on which the Lord Lieutenant exercised his discretion, or, in the words of the Act, based his reasonable suspicion. The right hon. Gentleman had readily admitted that he desired to act in conformity with the strictest justice and fair play towards the persons arrested under this Act. He had also stated that he would be ready to furnish innocent men who might be arrested with every facility for proving their innocence; but without some such information as this the friends of the arrested person, whether in that House or out of it, would be perfectly helpless to afford him any assistance whatever. All he wanted was, that concurrently with the instrument of the arrest, there should also be furnished a statement of the grounds on which the man was arrested, in order to afford his friends a clue by which they might possibly substantiate his innocence. He thought the force of this suggestion was apparent, and that the Amendment could not be looked upon as a factious one. He, therefore, put it to the right hon. Gentleman as an Amendment which was consistent with equity and fair play. He asked him to connect with the warrant some information that would give a clue to the ground on which the man had been arrested, in order that if he should happen to be innocent his friends might be able to establish his innocence to the satisfaction of the Lord Lieutenant.

Amendment proposed,

> In page 2, line 11, after the word "Act," to insert the words "together with a succinct statement of the ground on which the person arrested has been held to be reasonably suspected, and together with the name or names of the person, or persons, on whose information such reasonable suspicion has been based."—(*Mr. M'Coan.*)

Question proposed, "That those words be there inserted."

MR. W. E. FORSTER: This matter, Sir, has already been practically decided.

My right hon. Friend, the Member for Halifax (Mr. Stansfeld) proposed something similar; and what I then stated was, that the Government would have no objection to give what is proposed already in the terms of the clause—namely, the nature and character of the crime. I promised to bring up an Amendment to that effect on the Report, requiring that it be inserted in the warrant. In sub-section 3 of the 1st clause, there is provision for a list of all persons for the time being detained in prison under the Act, with a statement opposite each person's name, and the prison in which he is detained for the time being, and of the ground stated for his arrest in the warrant under which he is detained. I think it was also decided that the particulars now asked for by the hon. Member should not be given. This section requires that a copy of the warrant shall, within seven days of its execution, be transmitted to the Clerk of the Crown for the County of the City of Dublin, and be filed by him in his public office in that city. I really think the same objection applies in the one case as in the other; and I am sorry to say that I cannot accept the Amendment.

Dr. COMMINS remarked that, if anything he could say would have any effect on the Chief Secretary for Ireland, he would press upon him that it would be only fair to make this concession. It was true that the matter had been decided already in one way. The Committee had decided that the particulars now sought should not form any part of the warrant; but the same objection would not apply to having these particulars filed, together with the warrant, at the office of the Clerk of the Crown. There were several reasons why these particulars should be filed. One of them was, that it was surely intended by the House that a person who might be imprisoned under the Lord Lieutenant's warrant should have some means or other of questioning the propriety of his imprisonment. He did not imagine that the right hon. Gentleman claimed infallibility, or that Her Majesty's Government in Ireland collectively claimed infallibility. Beyond all reasonable doubt or question, a large number of persons would be imprisoned under this Act, and would be the victims of some unfounded suspicion, or of some private malevolence, as it was often found, even in cases where there were sworn depositions and open information. Even the hearing of charges made against a man often resulted—after a public trial in open Court, where the man was brought face to face with his accuser—in an acquittal. In point of fact, 25 per cent of those brought to trial before a Judge and jury were acquitted; and only 43 per cent of those accused, in the first instance, were even sent for trial. If, then, where the proceedings were open and aboveboard, 25 per cent were acquitted, there must, at the least, be 25 persons out of every 100 who were legally innocent; and it was very probable that a much larger portion would be morally innocent, and that the suspicion raised against them was an unjust suspicion. There ought to be some means, therefore, by which those persons who were unjustly suspected might be able to turn the inquiry into a proper and legitimate channel, so as to open the eyes of the Executive in Ireland, and show them that they had been misled, or deliberately deceived. So far, there was no provision in the Bill whereby the innocence of a man could be made known; and on this ground he would strongly press upon the Committee the importance of having these particulars filed along with the warrant. They would not become a matter of public notoriety, and would not be likely to affect any person prejudicially. He saw no other means by which his object could be obtained except by furnishing a statement of the particulars and filing them with the warrant at the office of the Clerk of the Crown, where it might be obtained on certain conditions, such as the payment of a fee. It was not likely that persons against whom there was a well-founded suspicion would challenge a public inquiry; but persons who were unjustly suspected ought to have some means whereby they might obtain some public inquiry, and be able to vindicate themselves, if possible. There was another reason, equally good. Unless these particulars were filed, and kept on record, it might be lost sight of altogether by whose instigation these persons had been arrested, and upon what information this severe law had been put in motion. As far as he understood the Bill, he did not think there was any provision in it to protect the innocent from those who might maliciously put the Act into motion. Unless there was some way of pointing out who the parties were, and of ascertaining whether they were likely to be actuated by malevolent intentions in putting in force the provisions of the Act, an innocent man might be arrested without a remedy, and be compelled to remain incarcerated in gaol for 18 months; and when he came out of gaol he would absolutely have no means of finding out who the person was who put the law into motion, and by whom the Executive Government had been led astray and deceived. It was an old legal phrase that "there should be no wrong without a remedy." Every man had a right to his liberty unless he had committed some offence contrary to the law. This Act said—"If you are open to suspicion, your right to your liberty is taken away." That was all very well; but then came in the legal principle, that if any person, through malice or without reasonable or probable cause, should have put this Act in motion, so as to deprive a man of his liberty for one or 18 months, the legal rights of the accused were affected, and he ought to have a remedy. This remedy would be provided in an action for malicious prosecution. But, instead of enabling this to be done, Her Majesty's Government appeared to be desirous of throwing a shield of darkness round those malevolent persons, who might maliciously incarcerate an innocent person, against whom they had a grudge, by industriously circulating suspicion, and taking advantage of some act which, in itself, might be very innocent, and probably very harmless. He put it to the right hon. Gentleman who had charge of the Bill, and who would have the administration of it afterwards, that some copy should be kept on record of the accusation, so that if a man was imprisoned wrongfully he might be able to proceed in the ordinary Courts of Law, and obtain some compensation for as severe a wrong as it was possible for one human being to do to another, short of taking away his life. Upon this ground he thought they were entitled to have the names of the persons who moved the authorities to act, and the charge ought to properly kept and filed with the warrant. There were two reasons which, he thought, were unanswerable for keeping this record, and he pressed as earnestly as he could upon the right hon. Gentleman the Chief Secretary and the Law Officers of the Crown the desirability of adopting the suggestion that had been made, and, by so doing, to prevent a serious injury to individuals by giving them some means of redress in the event of their being arrested maliciously.

MR. W. E. FORSTER: I do not wish, Sir, to break the Rules you have laid down, and I will stop instantly if you think I am doing so; but, as this Amendment was not on the Paper, I did not fully understand it when I addressed the Committee just now.

MR. M'COAN: It was on the Paper a few days ago, but was passed over.

MR. W. E. FORSTER: It is not on the Paper to-day. I understood that the hon. Member was merely asking for a statement to be filed. I gave my reasons for objecting to that. I see now that, in addition, the hon. Member proposes that the name or names of the person or persons on whose information reasonable suspicion has been based shall be given. Now, the chief reason for this Bill is that the Government cannot obtain evidence in consequence of intimidation; and if we were to require that the names of the persons who give information should be put in a public document, there would be no justification for the Bill.

MR. RYLANDS thought it was inconvenient that they should be called upon to discuss an Amendment of an important character which was not upon the Paper.

MR. M'COAN said, that the Amendment was upon the Paper for seven days.

MR. RYLANDS said, that, in some of its main features, the proposition corresponded with an Amendment which had already been discussed. He (Mr. Rylands) had voted in favour of the Amendment of his right hon. Friend the Member for Halifax (Mr. Stansfeld), and in favour of a subsequent Amendment pressing the question upon the attention of the Government. But he understood that his right hon. Friend the Chief Secretary for Ireland intended to add to the Bill on the Report a provision to accompany the warrant with certain facts. [MR. M'COAN: No, no.] He had certainly understood the right hon. Gentleman that the matter would be contained in the Report; and the right hon. Gentleman did not deny that.

Mr. W. E. FORSTER: May I be allowed to explain? What I undertook was that the warrant should contain a description of the nature and character of the crime.

Mr. RYLANDS said, that was what he had understood; and, to a certain extent, it was a modification of the Bill as it stood at present, in accordance with the views which had been expressed on that side of the House. He quite agreed that in regard to these particulars the Government had now conceded all that could be expected from them; and, having voted against them on two Amendments of a similar character to that before the Committee, now that his right hon. Friend had made a concession which met the necessities of the case, he need not vote against them a third time.

Mr. PARNELL said, he did not understand why the hon. Member for Burnley (Mr. Rylands) should lecture the Irish Members on the course they considered it their duty to pursue. If the liberties of the hon. Member's constituents were at stake, he would see the necessity of going more into detail than they had gone at present. It had so happened that a conspicuous example of the wrong-doing which the hon. Member for Burnley had just brought against the Irish Members was afforded by the right hon. Gentleman the Chief Secretary for Ireland himself, who had moved and had obtained the adoption of a most important Amendment with regard to the power of making rules for the treatment of prisoners, without having first placed it upon the Paper. But it so happened that his hon. Friend the Member for Wicklow (Mr. M'Coan) had not incurred the imputation which the hon. Member for Burnley thought to attach to him on this occasion, because the Amendment of his hon. Friend was upon the Paper for several days, and the hon. Member for Burnley might have seen it if he had chosen to exert himself a little more. Now, he (Mr. Parnell) did not understand the principle on which the Government declined to agree to the Amendment of his hon. Friend, for giving the ground upon which persons were to be detained under the operation of the Act. He could understand the reason for refusing to give the names of the informants, and he thought the right hon. Gentleman's objection to that portion of the Amendment was reasonable from the right hon. Gentleman's point of view, and from the point of view which the House had adopted as the main feature of the Bill. But that objection did not apply to giving the grounds of detention. What was it that they were going to do? They were going to give the Lord Lieutenant power to declare that a person was reasonably suspected of high treason, treason-felony, or treasonable practices, wherever committed. The Chief Secretary for Ireland said that he would, on the Report, introduce an Amendment to secure that a description should be given of the nature of the offence. But the description of the nature of the offence would, in the case of high treason, simply be a statement that it was high treason, and, in the case of treason-felony, that the person was reasonably suspected of treason-felony. No particulars would be given of the grounds on which the person was suspected, or particulars as to when and where he committed the offence; whereas he (Mr. Parnell) apprehended that, in a case of treason-felony, the right hon. Gentleman could only fulfil his obligation by stating particulars of when and where the offence was committed. The hon. Member for Burnley had charged the Irish Members with making an unreasonable request; but he (Mr. Parnell) would give a case by way of illustration. During his stay in Paris he had been watched whenever he went out.

The CHAIRMAN: I must point out to the hon. Gentleman that he is now travelling beyond the Amendment. If he has not been in the House recently, perhaps he does not know the strictness of our new Rules.

Mr. PARNELL said, he could assure the right hon. Gentleman that, during his absence, he had watched the proceedings of Parliament with great interest, and had studied them most attentively; but he thought he should be able to show that his illustration was strictly applicable to the present Amendment, which provided that the grounds of the offence should be stated when a man was arrested under this Act. During his stay in Paris he was always followed, when he went out, by two detectives, who, he was informed on good authority, were sent by the Chef de Police at the request of the British Embassy. Now, he wished to show how his illustration applied. Supposing the Government desired to deprive him of his liberty under the operation of this Act, all that the Lord Lieutenant had to do was to state that he (Mr. Parnell) was reasonably suspected, say, of high treason, or treason-felony. The noble Lord might receive from the two detective policemen who followed him about in Paris a report which, to the mind of the right hon. Gentleman opposite (Mr. W. E. Forster), might seem to involve circumstances of a suspicious character. In that case, he (Mr. Parnell) would never know anything about it. He would never know upon what occasion, or when, or where, he was reasonably suspected of having come under the operation of the Act; and he would never be informed of any details which it would be vitally necessary for him to know, and which, in all probability, if he did know, would, he believed, enable him to show to the satisfaction of the Lord Lieutenant, or during the periodical revisions provided under the Act, that the suspicion on which he was arrested had no foundation whatever. Hon. Members would see at once the application. He had chosen a personal instance. Perhaps he ought not to have done so; but the same thing would, of course, apply in many other cases. He had no doubt there would be many persons arrested under the operation of this Act who, if they had the slightest clue to the offence charged, would be able to explain it to the satisfaction of the Lord Lieutenant. And yet there was to be no such opportunity. The Bill said—"High treason, treason-felony, or treasonable practices, wherever committed;" and the Government employed French detectives to make up a case in foreign countries against persons whom they described as fellow-countrymen, and as an integral part of the British people, and whom British Liberals loudly proclaimed their desire to treat with equity and justice. The only explanation he could give for the action of the Government was this—that at the commencement of the proceedings of the Committee they set out with the determination to resist every Amendment. Among others, they refused the Amendment of the right hon. Gentleman the Member for Halifax (Mr. Stansfeld); but since then the Chief Secretary for Ireland had seen that it was absolutely necessary to amend the Bill in Committee, and he had amended it himself. He believed that if the right hon. Gentleman had seen it before, he would have given more consideration to the Amendments requiring the details of the offences to be given. Thus, by the power of arresting on suspicion of those offences "wherever committed," a man described as a fellow-countryman might be deprived of his liberty on the information of French detectives, and thrown into solitary confinement. [MR. W. E. FORSTER: Not solitary.] All their experiences of past suspensions of the Habeas Corpus proved that the persons imprisoned had been subjected to the strictest solitary confinement; and he asked the Government whether they would re-consider their position, and whether it was not fair that some information should be given to the accused person as to the time, place, and as to the particulars of the offence itself with which he was charged. He could not think that that Liberal Government was advancing its reputation for liberality by resisting stubbornly every concession in regard to such reasonable suggestions as had been made. He was sure, if the Irish Members had been met in a different spirit at the commencement, if the Government had shown that they were open to reason, the proceedings of that Bill in Committee would have been very materially accelerated; and he would ask the Chief Secretary for Ireland, even now, at the eleventh hour, to consider this matter, and not to turn his back on all the principle——

THE CHAIRMAN: I must again remind the hon. Gentleman that he is travelling beyond the Amendment.

MR. PARNELL resumed his seat.

MR. HEALY said, the Amendment was framed to give innocence a chance of asserting itself. It proposed that certain particulars should be given of the reasons for incarceration; and if the right hon. Gentleman consented, its effect would be to prevent the arrest of innocent persons in a great many cases. He had, however, refused to do this. There might be cases in Ireland that warranted imprisonment; but if the Committee insisted on a statement of reasons for incarceration being given on the face of the warrant, it would be found that a smaller number of persons would be imprisoned than otherwise. If the right hon. Gentleman objected to the wording of the Amendment of the hon. Member for Wicklow (Mr. M'Coan), let him draft some Amendment of his own which would give the desired result. Almost all his hon. Friends had had experience in their own persons of the vindictiveness of the myrmidons of the law in Ireland which this Amendment was intended to defeat. He had himself been put to an expense of £200 in defending himself from a charge made by them; and was, in addition, arrested, and taken 10 miles between two policemen. When indignities of that sort were offered to persons like himself, what, he asked, might persons of a different class expect who were likely to come under the operation of the Bill? The right hon. Gentleman had said that it would be inconvenient to give the required particulars but that was the whole case of those who supported the Amendment. It was the inconvenience of giving the particulars on the warrant, which would prevent arrest; because if there were no real grounds for arrest, it would be impossible to state them, and no arrest would follow. He should, therefore, support the Amendment, as the best guarantee against abuse of the powers of the Bill. Again, the Government told them to trust to their foresight and the way in which they would investigate all these cases. But the right hon. Gentleman the Chief Secretary would have to investigate hundreds of cases, and the pressure of his official duties made it impossible for him to do so thoroughly. According to the right hon. Gentleman, he could have no great difficulty in finding reasons for arresting the "village ruffians," because he said he knew them all. He ventured to say there was not a single man in Ireland against whom the Government could not get some spy to make a charge. Not only had the hon. Member for Cork City been watched, but he (Mr. Healy) and his hon. Friends were all watched. He had himself been followed by two detectives, to whom he had, no doubt, been pointed out as one of the Chief Secretary's *mauvais sujets.* For his own part, he did not shrink from facing the consequences of anything he had done; but he objected to be put into gaol on the evidence of some "village tyrant" in the shape of a detective. The Government would have to rely upon that class of persons; and, therefore, unless they introduced words into the Bill to prevent vindictive arrests, he should give the clause all the opposition in his power. It was said if some statement, however slight, of the proofs of the offence were given, the friends of an arrested person would be enabled to attempt to prove his innocence; and he maintained that, in many cases, a man taken up in a village in Ireland could get his friends, or even, perhaps, some member of the police, to show that he was really innocent. If, however, they must rely entirely upon the benevolence of the Chief Secretary, these friends would be only working in the dark.

Mr. CHARLES RUSSELL said, he did not think the Government ought to be asked to accept the Amendment exactly as now framed. Looking at all the peculiar circumstances under which the Bill was brought in, there would be a grave objection to give the names of the persons upon whose information the Executive thought themselves justified in acting; but, as he was afraid, it must be obvious to hon. Members that the Bill, however carefully administered by the Chief Secretary for Ireland and the Lord Lieutenant, must be a source of some injustice. It would, therefore, be the wish of hon. Members on both sides of the House to minimize, as far as it was possible to do, substantially with the object of the Act, the extent of that injustice. He understood the right hon. Gentleman intended to assure the Committee that, upon Report, he would consider the exact form of the words in which he would state the grounds upon which—["No, the motive!"]—it had been so understood by some hon. Members on that side of the House—arrest was made, and he did not think it would be found that there was much difference between the concession made and the concession asked for. But, whether it were the offence or the grounds of the offence, he (Mr. Russell) would point out that if the right hon. Gentleman meant merely by that, that he would state that the man was charged with treason, or treason-felony, or treasonable practices, or an act of violence or intimidation, or inciting to an act of violence or intimidation, no information of any use would be conveyed, for it would not serve, in the least degree, the purposes for which it was suggested the information should be given. The object of the information was to prevent the imprisonment of innocent men upon grounds which really had no existence. He would ask the right hon. Gentleman to consider whether it would not be perfectly possible for the Government, while giving effect to the purposes for which the Act was directed, to state the date and place, and to state, substantially, the circumstances of the case, so that the friends of the incarcerated person might identify the transaction, so that they might see if they were justified in bringing evidence before the Lord Lieutenant and Chief Secretary for Ireland to show that the man was unjustly detained. Such information would not enlighten or serve a man who was guilty, and who, therefore, knew the facts incriminating him; but it would, or might, materially help an innocent man to prove his innocenre.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, it would at once be obvious that to state the grounds upon which a man was reasonably suspected would be practically impossible, unless they were to give the very class of information which the hon. and learned Member for Dundalk (Mr. Russell) admitted it would be impossible to give consistently with the purposes and objects of the Bill. ["No, no!"] That, he submitted to the Committee, was the case. If they were to give the grounds of the suspicion, it would be of little avail if they did not show from whom the information was obtained. He understood his right hon. Friend the Chief Secretary for Ireland would, on Report, consent to state on the warrant what particular offence the arrested man was charged with. The right hon. Gentleman would be prepared to provide for the statement of the cause of arrest, whether it were treason or an act of violence, such as incendiarism. Moreover, the right hon. Gentleman would provide that the act should be defined so as to show clearly what it was in respect of which the charge was made. It would be obvious that the sole reason why the Government were not desirous to make a larger concession was that it would be inconsistent with the very purposes of the Bill.

MR. HERMON said, it was difficult to tell exactly what the right hon. Gentleman had promised, and the hon. Member for Burnley (Mr. Rylands) was evidently quite at sea as to what was intended when he voted for the Amendment of the right hon. Member for Halifax (Mr. Stansfeld). The object of the Bill was the protection of life and property in Ireland, and not the punishment of innocent people. Her Majesty's Government said that to give the names of the parties who supplied evidence upon which persons were arrested, would defeat the object of the Bill; but he thought persons cast into gaol should have an opportunity of bringing before the Lord Lieutenant such evidence as would show they had been cast into prison by mistake. The Committee could, no doubt, get out of its difficulty, if the Government would say that with the copy of the warrant they would also supply the time and place where the offence charged was committed. He believed if the Government extended that to persons who might be cast into gaol on an unfounded charge, it would have a good effect.

MR. LABOUCHERE remarked, that the hon. and learned Solicitor General had said that the Chief Secretary for Ireland would be perfectly willing to state that a man had been imprisoned on suspicion of incendiarism. But he (Mr. Labouchere) asked, would it be possible that this man could meet the charge that at some time, he did not know when, and in some part of Ireland, Heaven knew where, he had committed an incendiary fire? If the right hon. Gentleman would give time and place, then this unfortunate man, if he had not committed the crime of which he was suspected, would have an opportunity of proving it to the Lord Lieutenant himself. That was all the Amendment proposed. The hon. and learned Solicitor General said this matter had been discussed before. It was said that the delay of the law was the price which a man paid for his liberty. In the days of *lettres de cachet*, under which it very frequently happened that a man was confined in prison on the suspicion of some policeman, the difficulty was that the relations and friends of the man arrested on mistake were never informed on what charge he was arrested. He objected to all Coercion Bills; but it was certainly not necessary to make any Bill of the kind more harsh than was absolutely necessary. The right hon. Gentleman, he (Mr. Labouchere) was sure, was the last man to wish that any man should be unjustly put into prison. It was not he, but his agents, who would be the cause of unjust arrests; and he could not for a moment suppose that his agents were so good and so wise that they could not make a mistake, and he hoped, therefore, he would yield on the point under discussion.

LORD RANDOLPH CHURCHILL said, the Bill, as it originally stood, provided that nothing should be stated on a warrant, except that it was issued for treasonable practices, or for acts of violence and intimidation. That was arrived at after hours of discussion; and he (Lord Randolph Churchill) protested against the action of the Government, after announcing their intention of accepting no Amendments, and letting hours and days pass in discussing those Amendments, to make the concession proposed by the Chief Secretary for Ireland, that the particulars of the time and place of an offence should be stated on the warrant, and that the offence, whether it was an incendiary fire, or seditious speech, or what not, should be particularized, so as to give the accused an opportunity of making out his case. The Government, by their action, had wasted time and given opportunities for much useless discussion.

MR. GLADSTONE: The account given by the noble Lord the Member for Woodstock (Lord Randolph Churchill) of the pronounced intention of the Government is entirely without foundation; and the noble Lord could not have been in his place during the progress of the debate upon the Motion of the right hon. Gentleman the Member for Halifax (Mr. Stansfeld.) [Lord RANDOLPH CHURCHILL: I was here.] Considering the remarks made by the noble Lord, I thought it an act of justice to him to assume that he was not in his place; but I will readily withdraw the admission I have made in the noble Lord's favour. It will be in the recollection of the Committee that my right hon. and learned Friend the Attorney General for Ireland (Mr. Law), who spoke at an early period upon the Motion of the right hon. Member for Halifax, distinctly stated the practice to be followed under the Bill, and he then stated that the kind of act of violence or intimidation to which reference has been made would be introduced. I state that it was without the slightest doubt so intended; and subsequently, on the same occasion, it was distinctly understood on the part of the Government that provision should be made in the Bill for securing what the right hon. and learned Attorney General for Ireland described as the natural practice under the Bill should be fixed in the Bill.

MR. W. E. FORSTER: I answered a Question yesterday on the same point.

MR. GLADSTONE: In that case, it is unnecessary to observe that yesterday a Question was answered, and the very same thing has been since repeated; but it was not yesterday that it was made known for the first time. It is a pity, therefore, that entire unacquaintance with and inattention to the course of the debate should have led the noble Lord to make these observations, and to lead to this waste of time.

MR. DALY said, the Amendment sought that there should be such details given as would enable the person charged to appeal to the Chief Secretary for Ireland, who would be possessed of the secret information and have the prisoner in his keeping. The Government had conceded the principle of sending the warrant to a public office in Dublin; but he contended it was only fair and reasonable that there should be deposited in that office such particulars as would afford persons conscious of innocence grounds to enable the Lord Lieutenant to alter his decision, and that, he thought, could be done without the Government betraying the names of their informants. The Amendment carried with it but a small measure of remedy, which, he hoped, would be conceded. It was not feasible to the Government to imprison men without bail for 18 months, and not allow their relations and friends outside the prison to collect evidence to be laid before the Lord Lieutenant and Chief Secretary with a view to getting their case considered.

MR. CALLAN thought that one of the benefits which would arise out of the Coercion Bill would be the publication of a glossary of Parliamentary terms. During the course of the debate the noble Lord the Member for Woodstock (Lord Randolph Churchill), with whom he (Mr. Callan) found himself more in accord than with the advocates of Liberal principles opposite, had accurately stated the course of the discussion up to the time when he addressed the Committee. If that statement were correct, the right hon. Gentleman the Chief Secretary for Ireland had made no concession. But while the noble Lord was speaking, words had been used on the Treasury Bench which, he was sure, must have escaped the hearing of the Chairman, for otherwise he would have called the right hon. Gentleman to Order for having made use of un-Parliamentary language. The words used by the Chief Secretary for Ireland were, "not true;" and they had been uttered without reproof from the Chair.

MR. MORGAN LLOYD asked whether the hon. Member was not travelling far beyond the Amendment?

THE CHAIRMAN: The hon. Member has never yet come to the subject of the Amendment, but is speaking to a point of Order. I certainly never heard any such words as the hon. Member has mentioned fall from the right hon. Gentleman the Chief Secretary for Ireland.

MR. CALLAN had already stated that he was sure the right hon. Gentleman had not heard them, but several hon. Members had. They had been heard by the hon. Members for Waterford and Meath. With regard to the Amendment, he certainly hoped the first half would be accepted. To state a crime without mentioning the time or place at which it was committed, would practically be useless. People would never know of what offence they were being accused. He might himself be arrested under this Act. ["Hear, hear!"] He hoped that cordial "Hear, hear!" did not apply that he would be arrested. He hoped not. He was in County Louth last October conferring with the farmers, and shortly afterwards there was some hesitation as to the payment of rents.

MR. MORGAN LLOYD rose to Order. He wished to ask again whether the hon. Gentleman was not travelling wide of the Amendment?

THE CHAIRMAN said, he understood the hon. Member for Louth was proceeding to illustrate his case.

MR. CALLAN said, he hoped the Speaker would bring in a New Rule in reference to unnecessary interruption, and that any infringement of it should be a disqualification for a County Court Judgeship. Again, he had made a speech in December last in Ireland, which was not fully reported; and was he to be arrested because in that speech he had denounced the Chief Secretary for Ireland, although at the same time he had denied several false charges which had been brought against that right hon. Gentleman? He had attacked the administration of the right hon. Gentleman, and, perhaps, under the clause he might be arrested for interfering with the maintenance of law and order. ["Question!"]

THE CHAIRMAN: The hon. Member has scarcely made a single remark having reference to the Question before the Committee.

MR. CALLAN concluded by saying that if he were arrested on the charge of uttering words tending to incite to intimidation, he would not know during which of his visits to Ireland he had committed the offence, and, therefore, could not bring forward his friends to prove his case. The illustration he had given would show the Committee the necessity of stating upon the warrant the time and place at which accused persons were guilty of committing the offence for which they were arrested. Therefore, he would suggest to the Government that they should accept the first half of the Amendment, and that the hon. Member for Wicklow (Mr. M'Coan) should consent to withdraw the other.

MR. P. MARTIN regretted that the Chief Secretary for Ireland had not had his attention called to the Amendment at an earlier period, because he believed that had he looked carefully into the matter he would have been more favourable to its adoption. He did not think that any Member of the Treasury Bench would desire that possible injustice should be committed on any person detained under the Act; on the contrary, he believed they were anxious to guard against the possibility of injustice being done. The Chief Secretary said that he was willing to state the nature of the offence. But he (Mr. P. Martin) thought it was absolutely requisite that the concession should go further, and that time and place should be stated. He reminded the Committee that what was now asked for was contained in every warrant under which a man could be arrested in this country—namely, the offence, as well as the time and place where it was committed. If every man arrested for pocket-picking or felony were entitled to that, surely a person taken up under this Act should not be left without the same protection. The Committee, however, in their wisdom, had decided that the warrant should not contain these particulars. It must be remembered that the Committee were dealing not merely with the case of political offences, but also with the case of persons who might be taken up for offences punishable by law—that was to say, for inciting to violence and intimidation. What, he asked, was the value, for the purpose of protecting persons unnecessarily arrested, of having a warrant lodged with the clerk at the Queen's Office simply stating the offence with which they were charged? With all due respect to the Government, he was obliged to characterize this as an idle sham. He maintained that the accused ought to have some further protection than that. Suppose, as in the case alluded to by the hon. Member for Dundalk, a man, for one out of four or five speeches, had, in the judgment of the Chief Secretary, incited to some act of violence and intimidation. Under such circumstances, he held it would be only fair to specify the time and place where that speech was made. Otherwise, how was it possible that the accused person could make a representation to the Executive to establish his innocence? Again, in the case of a person inciting to violence. An accusation would be lodged with the Chief Secretary, and, in the event of the person being innocent, what protection would there be in stating that the man was accused of the crime of inciting to violence by inducing tenants not to pay rent? It would give nothing approaching to protection. Therefore, he respectfully submitted that the concession of the right hon. Gentleman must go further, and give particulars of time and place. It was said that few innocent people would suffer under this Bill; but it was impossible to say what number of innocent people would not suffer. It was well known that in country places men were somewhat intemperate of speech and action, and that the reports of country newspapers gave exaggerated accounts of what took place. Now, the sub-inspector of the district, in the fair discharge of his duty, would send up those reports to the head office. He believed that the constabulary in Ireland would not distort any act; but it was not an uncommon thing for them sometimes to over-colour the matter a little. Under the circumstances he appealed to Her Majesty's Government not to reject an Amendment which was so fair and reasonable in its character, and which merely asked what every accused person in England was entitled to the moment he was arrested.

Mr. DAWSON argued that there must be no ambiguity in the words used in the warrant. It was provided that the "ground stated" should appear in the warrant; but it was necessary to know what the word "ground" meant. To say that a man had committed an offence was not stating the ground of arrest, and he contended that the word should be deprived of all ambiguity and distinctly and clearly understood before a conclusion was come to. The mere name of a crime was not reasonable ground; but, although it might not be reasonable to ask for the names of the witnesses, the time and place were the essence of the ground upon which the Government would proceed. He did not think there could be the slightest reason to withhold a promise that a prisoner should have, in addition to the crime, the time and place, for he might be able to prove an *alibi;* and, with such a proof in his hand, was it right and just, and in accordance with the wishes of the Government, that a person should be punished without the opportunity of proving that he could not have been at the place at the time mentioned? He thought the right hon. Gentleman would see the necessity of making it clearly understood what was meant by the word "ground."

Mr. T. D. SULLIVAN rose to support the latter part of the proposal—namely, that which suggested that the names of the informers should be given, because the value of the evidence would depend very much on the character of the informer, and it was desirable that the persons arrested should have an opportunity of acquainting themselves with the names of their accusers. It was said that that would expose the informers to intimidation. That style of argument had been used over and over again throughout the debate; the alleged intimidation was made to account for and to cover every breakdown of the Government case. But why should not those "saviours of society," those gentlemen who were to give the information, have the courage of their principles? It was said that only a few ruffians and dissolute people were the terror of society in Ireland at present. Surely, then, with the exception of those few, the informers would be held in high honour by everyone. They would have the credit of coming to the rescue of law and order in Ireland, and of associating themselves with benevolent, humane, and eminent gentlemen. All those things ought to count for something. But that was not the real state of the case. It was injurious and mischievous on the part of the Government, for England as well as for Ireland, to create this "Star Chamber," into which the informers would enter, but into which no man could follow them. That was the system on which Ireland had been governed for centuries, and it was productive of great mischief to Ireland and also to England. It was the system of governing by agents, spies, and impostors. It was time a better state of things should arise, and that the men who came to the rescue of all that was noble in the land should come forward, so that their evidence might be valued according to their character. Who knew what high rewards awaited them? Dublin Castle would be open to them, and they would, perhaps, receive invitations to the Lord Lieutenant's *levées.* Let the people have honesty in this matter; let them know their accusers; and let the action of the informers be valued by all classes of people in Ireland and in England according to its merits.

MR. T. P. O'CONNOR entirely dissented from the latter part of the Amendment, and thought the request of the hon. Member (Mr. M'Coan) a little unreasonable. It was manifestly unfair to ask the Government to give on the warrant the names of the informers. But he presumed those names would be on record, for the names of past informers had been discovered from the records. He dissented entirely from that part of the proposal; for, as everybody must see, the persons who gave such information to the Government would run the risk of popular odium, not to say popular indignation. But he would make a fair offer to the Chief Secretary for Ireland—that he would not say another word on that Amendment, if the right hon. Gentleman would consent to accept the first portion of it. [Mr. W. E. FORSTER dissented.] The right hon. Gentleman would not take the offer, and he would be bound to proceed. As he understood the first portion of the Amendment, it asked that the warrant in every case should give the particulars of the alleged offence. If the Government refused to every prisoner in Ireland that information which was given to every prisoner in England, they were manifestly putting an untried and merely suspected person in Ireland on a lower level than the people suspected of serious offences in England. Was it fair to put people who might be innocent on a lower level with regard to the preservation of their rights than the lowest criminal in England? The question they were now contesting was a question which was fought out in England and conquered for the people many years ago. In Mr. Walpole's *History of England from* 1815, there was a most impartial and lucid account of the period of the Six Acts. There was no period of our history, at least, during the present century, which should be regarded with such distrust as that marked by the Six Acts. If they examined that period they would find that the spirit of repression which the Government of the time tried to establish led to a large crop of spies and informers, who rendered public security and social order impossible. Would the Government repeat now the sad features of the social and political life of the country at that time? Would they have the lives and liberties of men placed at the disposal of spies like Edwards and Oliver? Would they have those abuses which followed in the train of coercive legislation repeated? If they attempted to repeat those things, did they not know that their existence as a Ministry would not last one day longer? What was the feature brought out in that history which almost necessarily and inevitably followed repressive legislation? That coercion begat informers and spies; that informers and spies were as unjust and untrue in their statements as they were justified. Accordingly, if the present Bill was passed, the Government must be prepared for a harvest of evil such as ensued in 1819 and 1820—spies swearing away the lives and liberties of people. As a proviso against that abuse, was it not necessary, at least, to give the people who were detained an opportunity in some way of rebutting the charges against them? A charge of treason or treason-felony or treasonable practices was easy to make, but not so easy to refute; and from some of the statements made from the Treasury Bench, he was inclined to believe that already Members of the Treasury Bench were being deceived by spies and informers. He had seen more than one indication that they were under the impression that information which was supplied from some quarters was trustworthy, whereas everybody knew that it was only so much information supplied by people who knew that the more alarming the information they gave the higher would be the reward for their services. He could see how they were working on the Government and the country. Under such circumstances, he appealed to the Chief Secretary to consider the proposal he made, which was designed to stop halfway between the *non possumus* of the Government and the rather extravagant demand of his hon. Friend. What he asked was that the Government should give, not the names of the informers, because that might expose them to public odium and danger, but the time and place of each alleged offence. To ask that Irishmen should be allowed to be put in prison without that much information, was more than a Minister had a right to demand.

Mr. ARTHUR O'CONNOR could not endorse the term "unreasonable," which the hon. Member who had just spoken (Mr. T. P. O'Connor) had applied to the proposal of the hon. Member for Wicklow, because the demand that a man should know who his accuser was, was in accordance with one of the best established and most fundamental principles of English Law—namely, that a man should be confronted with his accuser. He would not pursue that part of the question; but in regard to the Amendment, as in regard to a great many other matters, there were two sides to the case. There was the side of the Government, anxious for coercion and suspension of the liberties of an entire country; and, on the other side, the case of the people who were to be imprisoned. The Government seemed to have considered one side, the side of those who were to imprison the people. He would, however, ask them to consider the other side; and although the majority of Members on the Ministerial Benches were not likely to be imprisoned under the Act, there was certainly one amongst them who had done what was more than sufficient to bring him within the scope of the Act. He would like that right hon. Gentleman to consider how he would like, if he went to Ireland after the passing of the Bill, to be seized under a warrant which specified in general terms that he had committed an offence on an occasion unspecified and at a place unnamed, which had incited the people to treasonable practices. He had heard a Member of the Government not many months ago using language which unquestionably was strong enough to found a charge and an arrest upon. That right hon. Gentleman, speaking of the injustice of the existing law, and of the iniquity of the existing administration in Ireland, had said—

> "If any gentleman on this platform will repeat in Ireland that which I have been reading in an English poet this afternoon, he will be clapped into gaol within 24 hours."

Under this Bill the Lord Lieutenant was to have power to arrest anyone summarily without showing cause, and confine him in prison for 18 months. Now, the Lord Lieutenant was the Representative of the Queen, and yet one of the Ministers had declared over and over again that he regarded the Lord Lieutenancy of Ireland as a wretched post, to be got rid of at the first opportunity. Was not that opinion likely to be treated, at all events by the Lord Lieutenant, as coming within the elastic phrase "reasonable suspicion?" If that right hon. Gentleman was arrested, and charged with having incited people to treasonable practices, and sent to gaol, without bail or trial, or being confronted with his accuser, he would then realize that there were two sides to the question. In refusing to consider the other side of the question, the Government were guilty of great injustice.

Mr. FINIGAN desired to point out to the Government one or two considerations, with a view to some sort of compromise. It might or might not be true, as the Government said, that in the present state of the law they could not get sufficient evidence, nor get juries to convict upon the meagre evidence they could obtain; but how did that statement tally with the statement of the Chief Secretary for Ireland when introducing the Bill, that the Government were perfectly aware of the people who would be embraced within the Bill, that the police were perfectly acquainted with the persons who either committed or incited to violence? Either that statement was not well-founded, or the objection of the Government to the proposed Amendment failed. He would suggest, by way of compromise, that if the Government would not accept that Amendment, they might empower the Lord Lieutenant to keep a record of the crime, the date and place, and the commission, and the names of the informers in each case, such record to be left in charge of the Lord Lieutenant, and only to be produced on the revision of a committal, on leave given by the Chief Secretary upon a Motion in the House. Without including in the warrant such particular facts, the Government could in that way preserve a record which would not be open either to hostile criticism—for he would suggest also that the record could be examined by Legal Advisers to see if it established a *primâ facie* case—or to mere curiosity. He thought the Government might easily do that, for, although in the first instance they had been willing to give on the face of the warrant the genus of the crime, they had now consented to give the species. They would, therefore, only be following their own precedent, with some show of justice, if they would consent to such a record being kept by the Lord Lieutenant, in order that if there were any innocent man imprisoned, there would be an ulterior remedy by which injustice could be undone and justice fairly done.

MR. DILLON said, that he could not understand the reason why the Government had not acceded to the Amendment. He certainly could see some reason for refusing the second portion of it. If time had been wasted by a great multitude of speeches, on the other hand, he must say that the Government had not acted fairly towards the House. The first portion of that Amendment would not interfere at all with the Act. They ought to accept the principle so far as it went, that a man who was in prison wrongfully should be able to appeal to the sense of justice of the Lord Lieutenant; and if he could command absolute proof that would carry conviction to the mind of the Lord Lieutenant that he was not guilty of the crime of which he was accused, he should be discharged. They would thus be giving him a chance of escape, and all they asked was that a prisoner should know the time and place of the crime of the commital of which he was accused, or the time when the speech for which he was arrested was delivered, in order that it might not be possible to imprison simply by the warrant of the Chief Secretary, who had proved, in that House, that he could put into one man's mouth what another had said. How could a poor man prove that he was innocent, when he was put into prison for speeches which he never delivered, on a general charge? He was suspected of having delivered a specific speech, and of having generally incited to violence, and when the 18 months' imprisonment were over, then he would be able to convince the Chief Secretary that he had been imprisoned for somebody else's speech. The Government had not attempted to give any reason why they would not accept the Amendment. It would not tie the hands of the Lord Lieutenant, but simply give the prisoner a right to appeal. If sufficient evidence were forthcoming to show that he was not guilty, he would be discharged. That was one reason why they considered it important, and the only argument that had been brought against the Amendment was that it was not necessary to insert those words. Would it not be wiser for the Government to take the Amendment if it be necessary, than to waste hours in disputing whether it was necessary or not? Another reason why they were anxious that the Amendment should be accepted was that dwelt on at some length by the hon. Member for Galway, that it would act as a check on informers. If it were known that the information that had been given would be handed to the prisoner, it would not be so likely that a man would be arrested on unfounded charges made by the policeman, and the spy, and others, out of a desire to revenge themselves upon the action of the Land League, who had, in many cases, forced men to give up farms that they had taken.

Such a provision as that in the Act would be a wholesome check on information of this kind. He invited right hon. Gentlemen on the Treasury Bench to point out one objection only to the Amendment. In the absence of their so doing, it ought to be certainly accepted. It had been said that some concession had already been made; but they (the Irish Members) said that did not apply to the present Amendment. If it were stated on the warrant who was the accuser, that would be a fair concession, and it would then be exceedingly likely the discussion would be brought to a close; but so long as the Government pursued the present course, and refused to answer the arguments, the discussion would probably continue.

Mr. BIGGAR said, that the right hon. Gentleman the Prime Minister had stated that the noble Lord the Member for Woodstock (Lord Randolph Churchill) was mistaken with regard to some statement that had been made by him. The fact was, that one thing had been stated by the Chief Secretary and another by the Prime Minister. His experience in that discussion was that one Member of the Government said one thing, and another another continually; and so confused were they, that they did not know what the Government meant or intended to do. With regard to a speech that had been made by the right hon. Gentleman the Prime Minister at an earlier stage of the Bill, he had then made a certain contention which he had altogether explained away at a later stage of the Bill; therefore, it was perfectly impossible, unless the facts were stated in the Bill, to know what the Government were going to do. With relation to the Amendment then before the Committee, he did not agree with some Members with whom he usually acted as to the parts of the Amendment. He thought that both parts should be agreed to by any reasonable Government; but, of course, the present Government would not agree. It was right to give some reasons why they thought that a reasonable Amendment. One of the provisions of the Bill before the Committee was that certain parts of Ireland should be proclaimed districts, and that for a certain class of offences committed in those districts a person should be punished under that Bill. If, however, the same offence were committed in any other part, the person would not be liable to punishment. If that be so, how could a party charged with an offence know whether the offence was committed in a proclaimed or an unproclaimed district? It would be impossible for him to know whether his action had been legal or illegal. If the object of the Government was justice, he could not see why they should refuse to state the time and place of the pretended offence. It was well known that detectives watched the steps of many men in Ireland. He had himself often been watched by them. The fact was, that those men had to make a show of doing something for their money. With regard to the names of the witnesses, that was perfectly reasonable. They had found no difficulty where trials took place hitherto, and witnesses had suffered no penalty for giving evidence in such cases. He did not see why a similar opportunity should not be given to every accused person under that Bill, so that he might scrutinize and criticize the conduct of the witnesses against him. Nothing was more common in the Courts of Law than the cross-examination of witnesses as to character; but in this case the Government proposed, on an *ex parte* statement without cross-examination, to take the details given by the informer, and not to give an opportunity of criticizing the personal character or the credibility of the witnesses. The Government, moreover, proposed to put a man into prison, keep him there a long time, and give him no opportunity whatever of proving his innocence. He could not understand the reason why the Government refused to accept the Amendment.

Mr. R. POWER did not rise to make an appeal to the Government. Appeals had been so often made to them with so little result, that it was fruitless. He did not intend to discuss the principle of the Bill; but he would merely say that that Bill was founded on suspicion, tyranny, and intrigue, and that the Amendment before them raised a serious question. He thought he should be borne out by the House when he stated that the Irish were naturally a suspicious people, and, therefore, the Government ought not to have acted as they had upon that occasion. By refusing to accept the Amendment they had clearly proved that they would make no concession. But what had they asked them to do? Merely to name the time and place upon the warrant where the supposed offence was committed. If they did that, undoubtedly it would be a great benefit to the unfortunate person arrested. He supported the Amendment, not only upon that ground; for, moreover, the Amendment would put a check upon the dishonesty and intrigue which would be created by the Bill. The Government would make it the interest of every informer and spy to hunt down these men. Those informers were taken from the lowest grades, and were always willing to work when they saw a good reward for every man that they arrested. They, therefore, had great suspicions about everyone they met. For instance, if an unfortunate man left Dublin and travelled to Waterford on a business matter, the moment a detective or spy saw him at Waterford he would watch him, trace him to some house, and would decide that he had some grounds of suspicion; he did not know whether it would not be his duty as a spy to report him. That man might be put in gaol, and his relations in Dublin, who would probably be poor, would not be able to assist him to obtain his discharge. That man would be left in gaol and forgotten under the existing provisions of the clause. Again, suppose that he (Mr. R. Power) had the honour of addressing his constituents upon an occasion, and he made, as he usually did, a moderate speech to them. In his county there were a great many gentlemen that carried his name. One of those gentlemen might get up and make a speech in which something seditious might have been uttered, and for that speech he himself might be arrested and put in prison, because he would not have the opportunity of showing that he was not the person referred to. An instance occurred in that House only the other day. A gentleman of the same name had made a speech with which he did not agree, and he was horrified to see that it was put down to him in the next morning's paper. His constituents believed that he had made it, and they were about to pass a vote of censure upon him, so that he was obliged to telegraph to them to set the matter right. It was quite possible that he might be reported by one of the spies as having made a speech that he never delivered. Again, it was not always very easy to know when one was making a speech whether it was exactly treasonable or not. He would put a case. Suppose he went over and addressed his constituents, and delivered these words—"I most regret to have to report to you the continued series of votings transacted Session after Session with the three Readings and Royal Assents which go to make up a law. As many as you like can make a law; but they cannot make that which is unjust a law by Act of Parliament, and hang men for not obeying it. Those who pass such laws, I submit, have made a miserable blunder, and it is not wrong if we disobey such blundering impotence." He should like the Solicitor General's opinion upon that quotation. He might, perhaps, inform him that it was not original; the words were those of one of the greatest men of the time, Mr. Carlyle——

THE CHAIRMAN: The hon. Member is travelling a good deal from the Amendment.

MR. R. POWER said, he was about to bring his remarks to a conclusion. The Chief Secretary had stated that there were three classes that would be arrested. They were the *mauvais sujets*, the dissolute ruffians, and village tyrants. He did not know whether he himself had arrived at the age of a *mauvais sujet*. He did not know, therefore, under what head he might be arrested. He thought there might be some truth in what he had heard—that the right hon. Gentleman had made out a list of persons who were to be arrested. A friend of his who had seen a copy had stated that his name appeared in the list. Whether that was true or not, he did not know and did not care. If it were true that he occupied an honourable position in that list, he should like to be able when he was released to expose the tyranny by which he had been arrested. That was one of the reasons why a poor man should have the opportunity of bringing what evidence he could in order to obtain his discharge if possible.

MR. JUSTIN M'CARTHY was sorry that the Government did not accept the Amendment. He did not understand what serious objection there was to the earlier portion, at any rate. He could quite well understand that they might object to that part regarding the names of the men who gave information. Why should the Government object to allow a man who was arrested to know for what precise offence he had been put into prison? If the man knew that he was accused of inciting to violence, incendiarism, or treasonable speech, or something of that kind, he would have some chance of clearing himself of an unfounded charge; but, as the clause stood, he had no means of knowing what the precise act was for which he had been arrested, and therefore he could not prove that he had not done it. The Government must proceed upon one of two assumptions—first, that no man would be unreasonably or unjustly arrested—which assumption he took to be clearly absurd—or else they must intend to deal out a very peculiar sort of even-handed justice, and treat the innocent and guilty alike. He could not understand that they seriously intended not to allow a man an opportunity of proving his innocence, and yet, if they refused to give him the time and place at which the alleged offence was committed, that would necessarily be the consequence. They knew that under each of the different Fenian movements men were arrested under a mistake, and afterwards were able to show that they were not the men referred to in the warrants. The right hon. Gentleman (Mr. Forster) shook his head, but he would remind him of an important case that occurred during the last Fenian movement. Five men were arrested and brought to trial, charged with the killing of a policeman in Manchester. Of those five, two were discharged from custody—one man because he made it plain that he was not present, nor near the place at the time, and was not the man that the Government intended to have charged. Another man, who was an American citizen, made it clear that he was not open to the charge, and he too was discharged; so that out of the five men arrested, two were able to prove that they were not in any way concerned in the murder. The effect of the present Amendment would be to allow men the opportunity of showing that the precise charge against them was not true, and that they did not commit the offence alleged. As the clause stood, the men would be simply sent to prison. There would be no possibility of their being set free. That was one illustration. He would give them another. They were not exempt, even the Members of that House, from such unfounded charges. Did not the right hon. Gentleman the Prime Minister charge his hon. Friend the Member for the City of Cork (Mr. Parnell) with having made a speech and uttered sentiments which he never uttered? The Prime Minister, who was a man of deeply conscientious feeling, had made a mistake, and was it not much more probable that mistakes would be made by the officials and spies? The consequence of leaving the clause as it was would be that there would spring up an ardour to make charges against all manner of people. It was impossible that the Chief Secretary could himself examine all the cases, and even then there might be a percentage of cases in which the charges could not be sustained. It would be a most unfair thing if the warrant did not state on the face of it the precise offence for which the man was arrested.

Mr. LEAMY said, that the Chief Secretary had agreed that the warrant should contain a description of the offence. But suppose that a man were arrested on suspicion of having been concerned in an incendiary fire; it would be then put in the warrant that he was suspected of committing that offence. What was the first thing that the man would do in such a case as that? He would try to find out what fire had occurred in his own neighbourhood, where it was likely that he would be suspected of being the offender. Supposing that a fire did occur in the neighbourhood on the farm of a man who at any time had been the employer of the accused. The accused must naturally conclude that he had been arrested for being suspected of the incendiary fire which had occurred in that particular district. If the particulars which the Amendment demanded were inserted in the warrant, the man might very likely be able to clear himself of the crime; but if no particulars of time and place were inserted, it was absolutely impossible that he could by any means obtain his discharge. The Chief Secretary, by stating the particular offence a man was charged with, would afford some clue to enable his friends to discover the ground of suspicion against him, and if the place where the offence was committed, together with the date, were mentioned in the warrant, this would be quite sufficient. The man himself, and his friends, would be able, if necessary, to get up rebutting evidence. Under these circumstances, he thought the Chief Secretary should consent at least to this portion of the Amendment which required that the date and place should be given. He could not understand why the right hon. Gentleman refused to give this information. It could not be said that by stating—"You are suspected of having been concerned in a certain outrage at a certain date, and at a certain place," the information would enable the man to come to a conclusion as to who gave the information. The Chief Secretary had undertaken to state the nature of the offence upon the warrant; and if the Bill was to have a Report stage, it could not make much difference whether these further particulars were added or not.

MR. M'COAN rose to address the Committee——

THE CHAIRMAN: I believe the hon. Member for Wicklow has already spoken.

MR. M'COAN: Yes, Sir; but, as the Mover of the Amendment, I wish to make a brief explanation.

THE CHAIRMAN: The hon. Gentleman can only make an explanation in regard to any misunderstanding that may have arisen as to his own Amendment.

MR. M'COAN said, the explanation he wished to make had reference entirely to the Amendment. It asked that a succinct statement of the grounds on which the person arrested was held to be reasonably suspected, together with the name or names of the person or persons on whose information such reasonable suspicion had been based, should be given. Now, the first part of this Amendment was met by the right hon. Gentleman by saying——

THE CHAIRMAN: This is not what I understand as an explanation.

MR. M'COAN said, in deference to the universal feeling of objection which seemed to attach to the latter half of the Amendment, he would not press it. He had himself seen that there was an objection to it when he drafted it; but he had thought it his duty to ask the Committee for as much as he could. He would, however, withdraw that part.

THE CHAIRMAN: The only way in which the hon. Member can do that is to ask leave to withdraw the whole of the Amendment, and then to propose again the words he wishes to move.

MR. M'COAN said, that was the course he wished to take.

Amendment, by leave, *withdrawn.*

MR. M'COAN: The Amendment will now stand thus—

"Together with a succinct statement of the grounds on which the person arrested has been held to be reasonably suspected."

Amendment proposed,

In page 2, line 11, after the word "act," to insert the words "together with a succinct statement of the grounds on which the person arrested has been held to be reasonably suspected."—(*Mr. M'Coan.*)

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 50; Noes 116: Majority 66. (Div. List, No. 57.)

MR. LEAMY moved, as an Amendment, in page 2, section 1, after the word "county," to insert—

"In which these suspects may have been arrested under the said warrant usually resided, and filed with the said Clerk of the Crown in his public office in the said county, and that a further copy of such warrant shall, within seven days after the execution thereof, be exhibited in the office of the said Clerk of the Crown."

The object with which he moved this Amendment was to give to the relatives of persons arrested under the Act greater facilities. A copy of the warrant under which the arrest had been made was to be given by the clause as it at present stood; for it was provided that a copy of every warrant under the Act should, within seven days of its execution, be transmitted to the Clerk of the Crown for the county of the City of Dublin, and be filed by him in his public office in that City. He was of opinion that a copy of the warrant should also be kept in the office of the Clerk of the Crown for the district in which the man usually resided. It was even more desirable that a copy of the warrant should be filed in the county in which the man usually resided, than in the county in which he was arrested. It was well known that many of the persons who might be arrested under the Act would be very poor people. Their families, however, would be living in the place where they usually resided, and would be able to give some account of their actions. Consequently, if a copy were filed in the county where the man had just been living, it was perfectly possible that a poor man, who might have gone to the North of Ireland a short time before he was arrested, would be able, through his relatives in the South, to show what he had really been doing; whereas, under the Bill as it stood, the relatives in the South would have no means of knowing what had become of him at all. He thought the Chief Secretary might easily accept this Amendment, which only went to the extent of requiring that a second copy of the warrant should be filed.

Amendment proposed,

In page 2, sub-section (1), line 12, after the word "county," to insert "in which these suspects may have been arrested under the said warrant usually resided, and filed with the said Clerk of the Crown in his public office in the said county, and that a further copy of such warrant shall, within seven days after the execution thereof, be exhibited in the office of the said Clerk of the Crown."—(*Mr Leamy.*)

Question proposed, "That those words be there inserted."

Mr. W. E. FORSTER: I have no objection to the principle of this Amendment. The clause requires that a copy of every warrant under the Act shall be filed by the Clerk of the Crown for the county of Dublin. Now, we could not undertake to find out the usual residence of a man who is wandering about the country. I think the hon. Member's object would be secured by taking care that the notice of the arrest should be lodged at the place where he was residing at the time of that arrest. Even if he came from another part of the country, his friends would know the place where he was residing. If the hon. Member likes to put the Amendment in those words, I have no objection to it.

Mr. BIGGAR said, it did not seem to him that what the right hon. Gentleman proposed was sufficient, and for this reason—the person arrested might be away from the place where he usually resided by 50, 60, or 100 miles. If a man were arrested in the county of Cork, it would be no satisfaction for his relatives to have a notice filed in the county of Cork, when his usual residence might be in Belfast, in the North of Ireland. He could not see upon what ground the right hon. Gentleman raised an objection to the Amendment as it was proposed. Of course, when a man was arrested, the first thing he would be asked was his name, and then his place of abode, and if there was any difficulty in the matter, it would be very easy to put the post-office in motion. The right hon. Gentleman the Chief Secretary appeared to be so suspicious in regard to any proposition that came from that side of the House that, however reasonable it was, he declined to accept it as it was proposed. There did not seem to be any great mystery about this matter. All that was wanted was that the relatives of the persons arrested should have some little notice of what had taken place. For his own part, he was prepared to divide upon the Motion, because he believed that the proposition was a reasonable one, and that the suggestion of the right hon. Gentleman was most unreasonable.

Mr. A. M. SULLIVAN remarked, that, as he understood his hon. Friend (Mr. Leamy), there would be no very wide difference in substance between his hon. Friends and the Chief Secretary for Ireland, if the right hon. Gentleman would make it "the present or last known place of residence." He (Mr. A. M. Sullivan) saw the reasonableness of what the Chief Secretary for Ireland had said—namely, that it would put upon the Government the duty of hunting up what really was the residence of a man who might be wandering about. On the other hand, the Committee might reasonably weigh what was suggested by the hon. Member for Cavan (Mr. Biggar), that a man might be arrested for addressing a meeting in the county of Antrim who was well known to be a resident of the city of Cork. It was in Cork, therefore, that a copy of the warrant should be filed, and not in the county of Antrim.

Mr. W. E. FORSTER: I think I can meet that objection. I will substitute the words "in the last known place of abode of the person arrested."

The CHAIRMAN: The hon. Member for Waterford (Mr. Leamy) is not in his place to say whether he accepts the Amendment proposed upon his Amendment.

MR. A. M. SULLIVAN: My hon. Friend asked me to make the suggestion with the intention of accepting it.

MR. W. E. FORSTER: Then I would propose to amend the Amendment in the form I have stated.

Amendment proposed to the proposed Amendment,

To leave out the words "in which those suspects may have been arrested under the said warrant usually resided," in order to insert the words "in the county which was the last known place of abode of the person arrested."—(*Mr. W. E. Forster.*)

Question, "That the words proposed to be left out stand part of the said proposed Amendment," put, and *negatived.*

Question, "That the words 'in the county which was the last known place of abode of the person arrested,' be there inserted," put, and *agreed to.*

Further Question, "That the Amendment, as amended, be there inserted," put, and *agreed to.*

MR. LEAMY moved, in page 2, at the end of sub-section (1), after the word "City," to insert these words—

"And such Clerk of the Crown shall furnish a true copy of the warrant, certified under his hand to be a true copy, on the demand of any relative of the person arrested, or his solicitor."

Amendment proposed,

In page 2, line 13, sub-section 1, after the word "City," to insert these words: "And such Clerk of the Crown shall furnish a true copy of the warrant, certified under his hand to be a true copy, on the demand of any relative of the person arrested, or his solicitor."—(*Mr. Leamy.*)

Question, "That those words be there added," put, and *agreed to.*

MR. JUSTIN M'CARTHY rose to move an Amendment, when——

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

MR. JUSTIN M'CARTHY resumed, and moved as an Amendment, in page 2, line 14, leave out sub-section (2), and insert—

"The warrant shall be in the form of No. (   ) in the Schedule to this Act annexed, or to the like effect."

In order to explain the Amendment, it was necessary to go back for a few moments to the discussion which took place in the Committee the other day. The 1st clause of the Bill provided that the warrant of the Lord Lieutenant under which a man might be arrested—

"Should be conclusive evidence of all matters contained therein, and of the jurisdiction to issue and execute such warrant, and of the legality of the arrest and detention of the person mentioned in such warrant."

This very important discussion arose as to the words "shall be conclusive evidence of all matters therein contained;" and the impression of a great many Members of the highest authority in the law was that the meaning of these words was to declare that a warrant stating that a man had been arrested for any particular offence would actually amount to conclusive evidence of his having committed the offence on the suspicion of which he was arrested, and that the effect of the warrant might be to brand a man with having committed an offence which he never had committed; nor could he, at any time afterwards, clear his character, owing to the statement contained in the warrant. The warrant itself would be held to be conclusive, and to contain the evidence of the man's guilt. On the other hand, the Chief Secretary for Ireland, and other Members of the Government, pointed out that this was not the intention or meaning of the words; but that the meaning of the words "conclusive of all matters therein contained" was that they were conclusive evidence that the man had been reasonably suspected, and arrested on that reasonable suspicion. Even this definition declared that the man, at least, had been reasonably suspected of some particular crime; and throughout his whole life, however innocent he might have been, there it would remain as conclusive evidence that the Lord Lieutenant had reasonable grounds for suspecting him of being a criminal. Such a suspicion might most seriously affect a man's future career. It was then suggested by the Government that the words "for the purposes of this Act" should be inserted. This meant that the warrant should be conclusive evidence of all matters therein contained "for the purposes of the Act;" in other words, for the purpose of establishing the legality of the jurisdiction under which the man was arrested, but not conclusive evidence that he was guilty of the crime charged against him. This seemed reasonable enough, until they came to consider another clause of the Bill, by which it was declared that—

> "The Lord Lieutenant, by and with the advice of the Privy Council in Ireland, may, from time to time, make, and when made, revoke and alter, an order prescribing the form of warrants for the purposes of this Act, and any form so prescribed shall, when issued, be valid in law."

By this clause the Lord Lieutenant might introduce any other form of warrant he pleased, and the kind of check imposed on the warrant by the words of the first clause would be of no value whatever. There was no reason to suppose it likely or probable, but it was not impossible, that the Lord Lieutenant might actually invent a prescribed form of warrant which would not only contain an allegation of reasonable suspicion, but which would also actually contain an allegation of the man's guilt. The Lord Lieutenant might prescribe a form of warrant stating that a man had been arrested because he had been guilty of incendiarism, or an attempt to murder, or inciting to violence, or any other of the various crimes to which the Act would apply. Although it was not likely that the Lord Lieutenant would do this, there was no guarantee that he might not do it. The clause, as it now stood, left any man arrested under the Act actually at the mercy of the Lord Lieutenant and his Advisers, and at the mercy of any form of warrant the Lord Lieutenant might choose at any moment to devise. It was quite possible that circumstances might arise to induce the Lord Lieutenant to think that he was acting wisely in completely altering the form of warrant, so as to make it altogether different from anything provided in the Act. At all events, this was a serious danger. He (Mr. Justin M'Carthy), therefore, proposed the present Amendment, the effect of which was to provide that the Committee itself should prescribe a definite form of warrant for the Lord Lieutenant. That was, if he were not mistaken, the course taken under the Westmeath Act, and he thought it would get over all the difficulty and danger. The Committee itself could draw up a form of warrant comprehensive enough to cover any object the Chief Secretary and the Government had in this legislation, but so shaped that it should not be open to mischievous application. That was the whole scope of the Amendment, and he hoped that the Committee would see that it was one of real importance and considerable moment. It was more than probable that many men who would be arrested in Ireland under this Act would be entirely innocent of the charges made against them. The adoption of this Amendment would prevent possible accidents, and take away an unnecessary power. It could not fetter or hamper the Lord Lieutenant or the Government in doing anything they had a fair right to do, and it would leave the Lord Lieutenant and the Chief Secretary for Ireland in the full possession of the power they desired to possess under the Act.

THE CHAIRMAN: Do I understand that the hon. Member for Longford desires to introduce as part of his Amendment, a Schedule which does not at present appear in the Bill? If that be the case, it would be impossible to move his Amendment. But if he accept the Schedule proposed in the name of Mr. M'Coan, his Amendment would be in Order.

MR. JUSTIN M'CARTHY: Yes. If I may do so.

Amendment proposed,

In page 2, to leave out from the words Lord Lieutenant," in line 14, to the word "law," in line 18, inclusive, and insert the words, "The warrant shall be in the form in the Schedule to this Act annexed, or to the like effect."—(*Mr. Justin M'Carthy.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, the hon. Member for Longford (Mr. Justin M'Carthy) did the Government no more than justice, when he said he was perfectly sure that the Government had no desire except to carry out the objects of the Bill; nevertheless, the hon. Member implied that the Lord Lieutenant might prescribe a warrant in any form he pleased without having regard to the object of the Bill. To a certain extent this was a reflection on a Nobleman of high character; it also applied to his right hon. Friend the Chief Secretary for Ireland. He was quite sure, from the tone of moderation in which the hon. Member for Longford always spoke in that House, that he had no intention to make such a charge. [MR. JUSTIN M'CARTHY: Oh, dear, no!] That being so, the question remained, what was to be the form of warrant? It could not be a warrant according to a Schedule that was perfectly blank. He would endeavour to point out to the Committee that the matter was already settled. The warrant could only be a warrant under the Act, and must conform to what the Act required; and it must go further, and conform to the clause the Committee had already passed. For instance, it must declare the person to have been reasonably suspected of a crime specified by the Act. It must also declare that the offence was committed in a prescribed district. Then it must be one or other of the general classes of crime mentioned in the clause—namely, those connected with treason, or those connected with an act of violence or intimidation. All those details must appear in the warrant. The clause recited that, in every warrant whereby a person was declared to be reasonably suspected of having committed any crime, the warrant should state the nature and character of such crime. The Committee, having passed that clause, could not go back and require the warrant to state something more. So far, the Committee had prescribed everything except the mere form of the warrant issued by the Lord Lieutenant, by and with the advice of the Privy Council. So much for the warrant. Secondly, as to the effect. The hon. Member for Longford said that the warrant would afford conclusive evidence that the person charged had been guilty of the crime of which he was accused, even if that charge amounted to murder; but the Committee had already, in the 18th line of the 1st sub-section, inserted, after the word "shall," certain words which provided that the warrant should only be conclusive evidence for the purposes of the Act; and for the purposes of the Act only could it be produced in evidence. The result, therefore, of empowering the Lord Lieutenant to make an order from time to time, prescribing the form of warrant for the purposes of the Act, would only be the issue of warrants that were to be conclusive of nothing more than that the person was reasonably suspected.

MR. FINIGAN had expected, from the opening sentences of the hon. and learned Gentleman, that he was about to concede the principle of the Amendment moved by the hon. Member for Longford (Mr. M'Carthy); but when he came to examine the very different line of argument afterwards followed by the hon. and learned Gentleman, he found that the hon. and learned Gentleman took very good care to wind up in a manner as hostile as possible to the Amendment. The hon. and learned Gentleman said that if they looked to the previous part of the Bill they would find that the Lord Lieutenant was authorized to issue his warrants on reasonable suspicion, and that it only referred to the crime of high treason and acts of violence and intimidation. Now, first of all, with regard to acts of treason. Not only was the crime of treason and treason-felony included, but they had the unstatutory, the unknown, and the unjust offence laid down of treasonable practices. Such offences were nowhere defined. The hon. and learned Gentleman told them, further, that the Committee could not go beyond that clause, and that the whole matter was now complete; but if the whole power given to the Lord Lieutenant was complete under the 1st clause, why should they, in this subsequent clause, permit the Lord Lieutenant to alter or vary, or even revoke, the warrant. If the hon. and learned Gentleman had stated that which was legally correct they ought to abide by the 1st clause; but immediately afterwards he told the Committee that the Government were desirous of giving to the Lord Lieutenant the power of changing the form of warrant as he liked. He (Mr. Finigan) urged that that House was alone responsible for the government of Ireland; and the Committee should insist that the arbitrary power of the Lord Lieutenant in this respect should be definitely laid down and prescribed. They might agree to trust the Lord Lieutenant personally; but they were quite aware that it would not always be the Lord Lieutenant who would draw up these warrants. He believed that most warrants were upon a printed form, and were merely formal documents which required filling up, and they would be filled up, not by the Lord Lieutenant, but by subsidiary officers; and if the Bill was carried out in an acrimonious spirit, they might be filled up in a way that would be altogether antagonistic to the interest of the prisoners. If the Lord Lieutenant was authorized to issue an order in the way in which that clause was drawn up, he would be able to accept any kind of warrant which might be prepared by any officer serving under him. That was asking for something more than a mere measure of prevention and justice. Why should not the Government be just to those whom they were about to prevent from committing crime, and say that all over Ireland there should be one particular form of warrant, and that particular form of warrant should not be altered according to the whim, or according to the exigencies of the Government, or according to the political necessities which might happen to influence the Lord Lieutenant and those who surround him. If they looked at the proposed Schedule, they would find the warrant was based on the principles laid down by the Government. It did not even give time and place, for which so many hon. Members had contended; but was a plain, simple, straightforward document. He failed to see why the Lord Lieutenant should be empowered to alter it, just as his convenience or political ideas might suggest to him. The words of the warrant were—

> "Whereas has been deemed by the Lord Lieutenant to be reasonably suspected of , this warrant under the said Act commands the said to be arrested in any part of Ireland and detained during the continuance of the Act unless discharged by order of the Lord Lieutenant or Privy Council."

That was a very plain statement of fact, without giving either time or place. Therefore, he thought the Government should be content with that strict and legal form of warrant and not depart from the spirit of the law which, in this country, and nominally in Ireland, was maintained and preserved in the interests of peace and order, and in the interest of justice. To object to this Schedule was to object to what was perfectly legal and only right; but to ask that the Lord Lieutenant should be intrusted with power to alter the form of warrant was to demand something which the Committee had no ground for granting. Therefore, he hoped until some better case was made out by the Law Officers of the Crown for Ireland, or the Chief Secretary, that the Committee would insist upon the Amendment being carried to a division, in order to show that Her Majesty's Government was not acting in the direction of protection; but that it was endeavouring to muddle everything connected with Ireland, and to place it within the personal and arbitrary power of a single individual.

MR. A. M. SULLIVAN pointed out to the Committee that power to the Lord Lieutenant to frame, from time to time, warrants in any shape had never, as he believed, been before conceded by Parliament. It was very novel that in a case like the present the Committee should be engaged in removing the Constitutional safeguards of citizens. Now, there could be no difficulty for the Law Officers of the Crown in drawing up a form of warrant to be scheduled with the Bill. That was a subject which, as the Chief Secretary had already told them, had engaged his attention for some time past. Secondly, the difficulty of the case could not be new to the Law Officers of the Crown for Ireland; and it would be a gross reflection upon their competency to say it would take them three hours to draw up a form of warrant to meet all the cases under the Bill. Therefore, there could be no valid ground for refusing this on the pretext that there was not sufficient time to frame such warrant, and there must be some other excuse for not putting the form of warrant into the Bill. No one could know what form might from time to time be adopted, nor what motives, what incitement, nor what idea of necessity influenced the Lord Lieutenant in this matter. They could not trust to the idea of necessity which would exist in the mind of the Lord Lieutenant, and he submitted it was only a reasonable course to put the form of warrant in the Schedule of the Bill. The Solicitor General for Ireland was well-known to be capable and competent to draft a form of warrant in half-an-hour; and if he would not do it there must be some reason, not necessarily weak or corrupt, which the Committee ought to be allowed to canvass.

MR. T. P. O'CONNOR said, the request to have the warrant drawn up and inserted in the Schedule was in accordance with the precedent of the Westmeath Act, in the Schedule of which, as hon. Members were aware, the warrant was embodied. That warrant named the person, residence, and crime imputed; and, in addition, it gave the authority under which the arrest was made. Above all, it gave the name of the prison in which the person was to be confined. To this latter information he attached the greatest importance.

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON): It is already stated in what prison the person would be confined.

MR. T. P. O'CONNOR thanked the hon. and learned Gentleman for satisfying him upon that point, and thought, as they were so far agreed, he should introduce some form of warrant into the Schedule, for the framing of which, in as short a time as possible, he should be happy to lend his assistance.

MR. BIGGAR observed that, where information could be conveniently be given in Acts of Parliament, it was better that it should be given, rather than that the matter should be left to chance and future arrangement. He was at a loss to understand why the Government should not draw up a warrant and schedule it with the Bill.

MR. CALLAN said, if a warrant similar in form to that specified in the Westmeath Act were scheduled with the Bill it would show that the warrant should be made out, giving time and place. He could not see why the Government were so persistent in declining to frame a warrant.

Question put.

The Committee *divided*:—Ayes 114; Noes 39: Majority 75. — (Div. List, No. 58.)

MR. GRAY said, the words of the Amendment he was about to move had been taken literally from the Suspension of Habeas Corpus Act, 1822. He was unable to say why they had been omitted in the Acts passed since that time; but he submitted that words in every sense similar should be included in the Act now before the Committee. Since the passing of the Act to which he had referred, many things had occurred which could be construed as involving the ancient rights and privileges of Parliament; and it might be said that, inasmuch as so many of those rights had disappeared, it made very little difference to Parliament whether one more of its ancient rights and privileges was taken away or not. He believed there were many hon. Members sitting on that side of the House who attached very little importance to the proposal he was about to submit to the Committee; in fact, some of them thought so strongly upon the subject that he had some hesitation in proposing his Amendment. Were he one of the Members of the Land League, against which this Bill was aimed, he would not do so. But as he did not belong to that organization, he did not see why, as a Member of the House, he should take a step for the preservation of its ancient privileges. It was only during the sitting of Parliament that Members could be protected from imprisonment under ordinary process of law, which could not take place except permission of the House was previously granted for their arrest. He was not at all sanguine that, in the present temper of hon. Members, they would attach any particular importance to their ancient rights and privileges; nevertheless, he desired to bring before the Committee the fact that, in every suspension of the Habeas Corpus Act down to 1822, the wording of his Amendment was inserted. He had taken it, without any change whatever, from a former Act, and thought it incumbent on the Government to show why it had been omitted from the present Bill. At the same time, if no sufficient reason was forthcoming, he contended that the proposed clause should be inserted in the Bill, in order to protect Members of the highest Court of the Realm in the execution of their duties. If the Amendment was not adopted, any Member of Parliament resident in Ireland, during two Sessions, could be arrested and imprisoned. The Government might urge them to trust to the Chief Secretary to discharge his duty with a due sense of his responsibility, and not to imprison any of his brother Members on suspicion; and if hon. Members thought that that was a sufficient guarantee, they would, of course, vote against the Amendment; but the Bill involved an abrogation of the ancient rights of Members of Parliament, which should not be adopted without careful consideration. He should propose the Amendment; and he trusted that, if it was to be rejected, some of the authorities in the House on Constitutional liberty and precedents would give their reasons for the violation of an ancient and honourable precedent, which ought not to be deviated from without good cause being shown. He did not say that the individual Member who offended should be considered, but the honour of the House itself; and the proper procedure would be, in such a case as the imprisonment of one of its Members, to obtain the sanction of the House. That was the feeling of the House in times past, and that should still be the feeling. It was due to Members themselves, and to their constituents, that Members should have the same protection as they had had in the past. He objected to his liberty being in the hands even of one for whom he had respect, as he had for the Chief Secretary. It was possible that many of his brother Members might oppose the Amendment from a feeling that they should take the risk of whatever might be imposed on the constituencies; but he held that they should endeavour to preserve their representative rights; for they were not there in their private capacity, but to perform public duties. He would conclude by moving the Amendment of which he had given Notice.

Amendment proposed,

In page 2, line 18, after the word "law," to insert, as a new sub-section, the words, "Provided always, and be it enacted, That nothing in this Act shall be construed to extend to invalidate the ancient rights and privileges of Parliament, or to the imprisoning or detaining of any Member of either House of Parliament, during the sitting of such Parliament, until the matter of which he stands suspected be first communicated to the House of which he is a Member, and the consent of the said House obtained for his commitment or detention."—(*Mr. Gray.*)

Question proposed, "That those words be there inserted."

Mr. THOROLD ROGERS said, he had put very early on the Paper a similar Amendment; but the hon. Member who had just spoken had trumped his card. He did not wish to embarrass the Government in any way; but he believed there was not a Member of that side of the House who was not pained at being obliged to curtail the liberties of some of their fellow-subjects. It had been argued that it was not the part of a Liberal Government to curtail liberty; but while they would not curtail liberty they would curtail licence. The reason why he proposed to move a similar Amendment was that he found that there was in every such Act of Parliament for limiting the liberties of the Irish people a clause in the terms of the proposed Amendment. It was inserted in every Act from 1800 to 1805; and again in 1822. It was certainly left out of the Act of 1833; but that Act was for the establishment of martial law, and did not require it. The clause was omitted also from the Act of 1848; but how that was he did not know. That Bill was introduced on July 22, 1848, and passed, with only one division, in one Sitting. It passed through the House of Lords, with only one division, at a single Sitting, and it received the Royal Assent on the 25th of July. Now, as to the privilege of Parliament contained in that clause, he believed it was pretty well known that the privilege of Parliament did not extend to treason, felony, or breach of the peace—the offences which, he presumed, were most likely to come under the new Act. Treason was one of the greatest crimes that could be committed against the whole of society; and no persons suffered more from such a crime than the class for whom certain Members had been loudly talking as their advocates. The Act did not propose to protect people who had been guilty of such a crime; but it seemed to him to be in the highest degree desirable—apart from the question as to whether hon. Members were likely to be arrested under the Act—that Parliament should know the cause of the arrest of one of its Members. Furthermore, he deemed it highly desirable that Parliament itself should pronounce on the sufficiency of the case upon which such hon. Member was held responsible for the crime. Parliament had never refused to surrender a Member who was guilty of offence against the laws of the country; but it was expedient, first, that the arrest should be communicated to Parliament, and then Parliament should be invited to pronounce judgment; and he ventured to think that it would be very valuable for the discipline of the House if Members were brought very much more within the judgment of the House. For these reasons he supported the Amendment.

Mr. O'DONNELL did not feel much enthusiasm on behalf of the Amendment; for, as the Committee had refused to grant to the families of suspects arrested in Ireland any opportunity of knowing why their liberty was interfered with, therefore he did not know why what had been refused to wives and families should be granted to Members of Parliament. Of course, the ties which united Members to one another were very strong; but it would be too much, perhaps, to say that they were stronger than the ties between a man and his wife and children. Whatever might be his attachment to the House of Commons, he should require more than the eloquence of Members of the Government to bring him to that point of view. He thought it was quite probable that the omission of the usual guarantee to Members of Parliament had been quite intentional; and the policy, which began with the opening of Members' letters, would be continued by taking hold of their persons. He was of opinion that Members ought to be quite ready to run the risks of Ministerial wrath for a few months, while the Government were in a position to inflict it upon them; and he, therefore, did not feel called upon to support the Amendment. At the same time, he thought that, in any case, the privileges of Members who had shown no great love for the privileges of Parliament should be guarded; and if it were expedient, he should be prepared to move an addition to the Amendment, exempting from the operation of the Act the Members of the Liberal Party, who cared so little about the privileges of Parliament.

MR. O'SULLIVAN desired no concession or privilege in which his countrymen could not share; and if he voted at all he should vote against the Amendment. If any disgrace attached to any Member who was arrested on suspicion, that disgrace would reflect more on the Government than on the Member; and he regretted that any concession had been asked for from that side of the House for exempting Members from arrest any more than their constituents.

MR. GLADSTONE: I cannot but express my sympathy with the spirit just expressed by the hon. Member for Limerick, who, I think, has shown very strong public spirit and personal courage in his unwillingness to accept anything in the nature of favour or privilege, or to enjoy advantages which cannot be enjoyed by the bulk of Her Majesty's subjects in Ireland. Not only is that very creditable to the feelings of the hon. Member, but it seems to me to indicate the principle upon which we ought to proceed in this matter. I shall carefully avoid arguing this point as if it were more than it is—an interesting point of Constitutional history and principle. I shall not discuss it on either side with reference to the possibility or impossibility of its having any practical bearing on the present juncture, for I think it ought to be argued simply as a Constitutional point. I look at the matter simply as it stands. There appears to be a presumption in favour of the accuracy of the recital of these Acts; but yet I am very much inclined to question it. What is the recital in the Amendment? Nothing in this Act shall apply to invalidate the ancient rights and privileges of Members of Parliament during the Sitting of Parliament as to the imprisonment or detaining of any Member of either House of Parliament during the Sitting of such Parliament. That appears to imply that there are some ancient rights and privileges of Parliament which extend to preventing the imprisonment or detaining of any Member of either House during the Session, whatever may be the cause of such imprisonment. Now, here it is important to notice a most material and vital distinction. There is no such ancient right and privilege with respect to criminal offences. Whether that be too wide a word or not I do not know; but, at any rate, Chief Justice Blackstone, after reciting that the privileges of Parliament do not extend to treason, felony, or breach of the peace, says a case of writing and publishing seditious libels has been resolved by both Houses of Parliament not to be entitled to privilege, and that Members of Parliament are liable for every indictable offence. In 1848 and in 1852 we find that the privilege of freedom from arrest was maintained by this House only in such cases as were not treason, felony, or breach of the peace; and it is a safe assertion, resting on the authority of Sir Erskine May, that the privilege of freedom from arrest has always been limited to civil cases, and has not been allowed to interfere with the administration of Criminal Law. That is the general principle of the Constitution; and I take leave to observe that the hon. Gentleman who has moved this Amendment has not approached the question from the right point of view. He has appeared to think that this clause would exempt him from the burden of proof, and that, because it appeared in other Acts, the burden of proof rested with those who proposed to omit it. Now, those Acts were Acts within a certain period; but other Acts have excluded the clause, and there is no reason in the world, if we look at the question on general principles, why I should not invert the argument of the hon. Gentleman. I do invert it; and I maintain that the whole burden of proof lies with him. This is an attempt to set up special privilege on behalf of Members of Parliament. The general principle does not extend to any but civil cases; for more than a score of years this clause has not been in the Acts passed within that period, and it therefore appears to me that we have admitted a general principle which is adverse to such a special privilege. The whole course of our legislation, of late years, has been towards abridging the personal privilege of Members of Parliament. Such personal privileges have been at all times abridged, and justly so. They are regarded jealously by the general public opinion of the country, and it appears to me that it would require a very strong practical reason to warrant our inventing a new privilege, or setting up afresh any old privilege, the claim to which has been discontinued. This does not rest on the ancient and respectable foundation of an established privilege of Parliament. The privilege of Parliament touches no such subject-matter; but only amounts to this—that you have certain precedents by Acts in which the enactment might be justified. Now, let us look at the case of enactments. I do not know how far they go back; I do not think it is necessary for me to find any special argument on their behalf. It is only within recent times that Members of this House have learned to respect the general principles of liberty and justice in their dealings with one another. I do not claim that as a merit to ourselves individually; it is only a sign of the progress of popular and Constitutional principles; and the most free and familiar illustration of the proposition that can be given is the old practice when the seats of Members of Parliament were habitually and notoriously voted upon by the House, not according to the merits of the case, but purely and simply for Party purposes. When we consider the corruption and intimidation that were brought to bear on individual Members in olden times, especially by Governments, it might be excusable, if not warrantable, to take precautions against this particular method of proceeding, and against laying hands, through the medium of Acts for the suspension of the Habeas Corpus Act, on Members of Parliament for the purpose of weakening the opposite Party. That is, to a great extent, conjectural; but I am not prepared to allow that any legitimate authority belongs to these precedents. They are limited to a time to which none of us, I believe —I do not think even Conservative Members—would be disposed to refer —namely, the period between 1800 and 1822 which was distinctly a period of re-action. I do not think Gentlemen on that side of the House, any more than Gentlemen on this side, would be inclined to refer to that period as one from which we could draw precedents and claim authority for them. In progress of time, and in reference to, and in strict conformity with, what this House had done in other particulars, the practice has been dropped. We have the Act of 1848 for suspending the Habeas Corpus Act, from which the clause was omitted. It might be possible, perhaps, to establish a personal reason for that; but we have other cases—the Act of 1866 and the Act of 1871—in neither of which was the clause inserted. So that the present practice and the practice since 1822 is against the insertion of the clause. I condemn it on its merits; and I also plead that the authority of the last 60 years, which for us is a great deal better than the preceding 20 years, is adverse to the clause. I may likewise observe that, though I conceive that the reasons I have cited are sufficient reasons for voting against the clause, very great inconvenience would arise from the practice. A Member of Parliament, though he could not be arrested without the leave of the House during the Session of Parliament, might be arrested during the Recess, and having been arrested during the Recess, and confined for the whole of the Recess, he would have to be released on the meeting of Parliament until the judgment of Parliament could be taken on the case. It does not seem to me that that would be a very satisfactory arrangement. But what is then to happen? The matter is then to be communicated to the House of which he is a Member, and the consent of the said House obtained for his commitment or detention. That is to say, on high special grounds, we are passing by the general system of our law and creating a high Executive responsibility; we are providing that in cases of Members of Parliament that responsibility is to be carried over to the two Houses of Parliament respectively. I appeal to hon. Members whether it is fit or becoming, or convenient, that this House should assume that responsibility and make itself the judge, in a particular case, of the reasonableness of a suspicion which might be entertained of a particular person. This is directly the reverse of our Constitutional arrangement. The Constitutional arrangement is—— [An hon. MEMBER: Anything you like.] Anything I like! That is not my argument; and I should be obliged to the hon. Gentleman to use his own argument himself, and not put it upon me. The arrangement of our Constitution is this—Executive arrangements devolve on the Executive Government, and when that power has been abused this House exists as the great Constitutional inquest of the nation to which an appeal may be made, and a trial of the conduct of the Executive Government be obtained. But now we are proposing that in the case of a brother Member the Executive responsibility shall be carried over to the Legislature, and that there shall be no appeal. That is entirely opposed to the spirit of the Constitution. I admit that great interest attaches to the question; but I hope the Committee will decline to accede to the Amendment.

MR. J. COWEN said, he entirely agreed with the contention of the Prime Minister as far as it went. He thought that it was unfair in principle and inconvenient in practice to give Members of Parliament any privileges that their constituents did not enjoy; but the right hon. Gentleman had entirely overlooked the force of the contention of his hon. Friend the Member for Carlow (Mr. Gray). The Prime Minister held that a Member who was charged with treason or with treasonable practices should be arrested without the consent of the House, just as any ordinary citizen would be. With that contention he was in entire accord. It would be absurd to suppose that a Member of Parliament should be free from the responsibilities of any criminal act on his part; but that was not the point at issue. This Bill empowered the Lord Lieutenant and his Chief Secretary to arrest persons for other offences than high treason or treasonable practices. It also empowered them to arrest persons not on a charge, but on mere suspicion, and there lay the difference. What the hon. Member for Carlow objected to was giving the Irish authorities power to arrest a Member of Parliament on suspicion, throw him into prison for 18 months, and never bring a charge against him. If any of the Irish Members had been guilty of treasonable practices, let the charge be preferred against them, and let them be brought to trial at once. There was no desire on their part to shrink from the full responsibility of their actions. What they objected to, and objected to with reason, was that they should be placed in gaol for a year and a-half upon the whispered suspicion of a police spy. It was a fact known to many hon. Gentlemen in that House that the movements of the Irish Members were watched day and night. Detectives hung about their residences, followed them to the House of Commons, and were, at that moment, to be seen in the Lobby. That was not only wrong, but extremely offensive. What the Government out to do, if they believed those hon. Gentlemen to be guilty of any offence, was to arrest and try them, and thus free them from this surveillance. If they were not supposed to be guilty of any offence, they should not be subjected to the indignity of having policemen following at their heels. But the point he wished to put before the House was this—No one objected to a Member being accused of treason or treasonable practices. If the Government thought they had a case against him, they should arrest him and have him tried. What they objected to was that a Member of Parliament, or, indeed, anyone, should be arrested upon mere suspicion, and that suspicion based upon the doubtful and often perjured evidence of informers.

LORD RANDOLPH CHURCHILL could not regret that the present Amendment was before the Committee, especially as it had been endorsed by so high an authority and so respected a student of Constitutional history as the hon. Member for Southwark (Mr. Thorold Rogers). He had not the good fortune to be politically in accordance with him; but opinions expressed by the hon. Member on such a question must not be likely to command the attention of the House. The matter, having been brought forward and supported by that hon. Member, ought not to be discussed in the hasty manner which the Prime Minister had suggested. The right hon. Gentleman the Prime Minister said that the Amendment would confer, directly or indirectly, a new privilege upon Members of Parliament; but, as he (Lord Randolph Churchill) read it, it would do nothing of the kind. It said that nothing should be construed to extend or invalidate the ancient rights and privileges of hon. Members. Those rights, as laid down by *Blackstone*, would not confer an immunity upon a Member who was guilty of a breach of the peace. He should be in the recollection of the Committee when he said that there had been arrests made by Courts of Justice within the last few years which had been communicated to Parliament. The late Mr. Whalley, a respected Member of that House, was arrested under a warrant and committed for contempt of Court. He understood that that Amendment only proposed to defend the ancient rights and privileges, and provided that unless a Member were arrested for treasonable practices or an indictable offence his arrest was to be communicated to Parliament. But it was quite possible that arrests might take place in Ireland which were only on suspicion of having committed one of these offences; and it was not unnatural that, under the present peculiar circumstances, a desire should exist that those arrests should be communicated to the House. The Prime Minister had taken the precedents of 1866, and more especially that of 1848. In the latter case the Member arrested might be supposed to have been connected with treasonable designs; but in 1866 there was nothing of the kind. Now, it was a curious coincidence, that in this Parliament there was an extraordinary state of things. A large number of Members were connected with a body against which the action of the Government was directed. Under those circumstances, he was not sure that it was unreasonable that several hon. Members should wish to have some provision in the Bill that if a Member of that House and that organization were arrested, except for treasonable practices or an indictable offence, on suspicion, his arrest should be communicated to the House. The hon. Member for Carlow, in moving his Amendment, said that he had immense confidence in the right hon. Gentleman the Chief Secretary. He (Lord Randolph Churchill) had not that confidence in him. He himself was in the habit of going to Ireland, where he had a great number of friends whose society he valued; and he was not at all clear that the affection of the right hon. Gentleman was so great that he would not be inclined, under any circumstances, to suspect him of treasonable practices. Sometimes a banquet was given by the Constitutional Club in Dublin. Now, if he attended such a banquet, he should not hesitate to criticize, in as marked a manner as possible, the conduct of the Chief Secretary; and he should like to have something put into the Bill which would place beyond a doubt that, if arrested, the fact should be communicated to the House. The Government had already committed several acts of an arbitrary nature. Members of that House had been dealt with in an arbitrary way; and he was not sure that the same arbitrary proceedings which had been inaugurated by the Government in that House would not be extended to Ireland. He would point out a curious coincidence with regard to the arrest of Mr. Davitt the other day. He had made speeches recently of an extremely violent character; he had no hesitation in saying that they were seditious. He was not arrested until he had made a speech in which he directly attacked the Chief Secretary for Ireland. He thought, on the whole, that it was not unreasonable that arrests of hon. Members should be communicated to the House. ["Hear, hear!" *from the Treasury Bench.*] The Prime Minister assented to that. He was delighted that the suggested Amendment was to be accepted. The Amendment was an important one, as it raised a great Constitutional question. He was aware, however, that that was about the last question likely to be attended to in that House. He wished to point out the extraordinary departure from Constitutional practice which the Government had inaugurated. If the Amendment could be so modified as to make it acceptable to the Government, he, for one, would be glad to support it.

SIR WILLIAM HARCOURT: I think that the noble Lord could not have read the Amendment before the Committee. His whole speech was directed to the absolute necessity that existed of communicating to this House an arrest of one of its Members. This Amendment has nothing to do with that question. The question was whether antecedent consent of the House should be given to the arrest of a Member. That is totally and entirely a different thing. I could have saved the noble Lord some 25 minutes of his speech. There is a difference between antecedent consent and subsequent communication. Anyone acquainted with the elements of Parliamentary law and Constitutional principles must see that, in the very Act of 1848 which had been referred to, a clause was identical with the one in the present Bill. The arrest of Mr. Smith O'Brien under that Act was communicated to the House on the 8th of August. I can add nothing to the complete and conclusive argument of the Prime Minister on this question. The present Act is undoubtedly a strong one, which deprives every subject of the Queen in Ireland of the resort to Courts of Law against arrest upon suspicion. Why should the House of Commons reserve to its own Members an appeal to the Courts of Law, or to this House, against a similar proceeding? We conceive that it would not be wise or prudent so to do. The right hon. Gentleman the Prime Minister has referred to the precedents, and in all cases since 1822 the words of the clause have stood in their present form as regards this matter. I am strongly of opinion that, in matters of this kind, Members of Parliament must take the law as it stands, and cannot claim any special privilege which is denied to others.

SIR STAFFORD NORTHCOTE: I only rise to say that it appears to me that the Home Secretary must have been a little taken aback by the lively and able speech of my noble Friend (Lord Randolph Churchill). The noble Lord was only speaking for a quarter of an hour, and yet the right hon. Gentleman said that he could have saved him 25 minutes. It is obvious that the right hon. Gentleman was not quite alive to the argument of my noble Friend, because what I understood from my noble Friend was that he was not prepared to support this Amendment as it stood; but that the matter was not one to be so summarily dismissed, as he considered it had been by the speech of the Prime Minister; and, at all events, that it was desirable and right that we should call for some assurance that no arrest or detention of a Member of that House should be permitted without a formal communication being made to the House for the protection of Members of this House. We do not suspect that this Government, or, indeed, any Government of modern times, could distort and pervert the powers given to it for the purpose of preserving law and order for political purposes; but it is always desirable that, in matters of this kind, the slightest suspicion should be averted by proper legislation. I do not feel that we can have any doubt as to the vote to be given upon the Amendment. I think that the view which has been so tersely expressed by the hon. Member for the County of Limerick (Mr. O'Sullivan) would find an echo with all—that there should not be protection given to Members of this House which was not to be extended to other persons.

MR. W. E. FORSTER: I will just mention that it is entirely within the understanding of the Government, and we are perfectly convinced that we cannot avoid the usual methods being taken of informing the House of the arrest of any of its Members. I am confirmed in that by what is stated by Sir Erskine May, in page 105, of his work on Parliamentary Law. He says there—

> "Thus the House will not allow even the sanctuary of its walls to protect a Member from the process of the criminal law. But in all cases in which Members are arrested on criminal charges, the House must be informed of the cause for which they are detained from their service in Parliament."

I have since had an opportunity of consulting Sir Erskine May; and he says that, although it is contrary to our present practice to give special privileges to Members, and that the privilege of obtaining consent has existed in some Acts, yet there could be no doubt that in any kind of case for trial, as well as in the case of arrest on suspicion, the

House must be informed of that arrest in some way or another, as they were informed of the arrest of one of its Members in 1848. I have another remark to make, which is of a personal nature. The noble Lord the Member for Woodstock (Lord Randolph Churchill) made an allusion to the arrest of Michael Davitt; and he left the impression, which, unless he believed it, he would not have conveyed—I am sure nobody else in this House would, and I do not think he would—that the reason of Davitt's arrest was that he had made certain remarks about myself.

LORD RANDOLPH CHURCHILL: I did not say that. I said it was a curious coincidence.

MR. W. E. FORSTER: The Committee will understand what that means. I do not believe that most of the hon. Members who sit near the noble Lord believe it. I may say that, as I was the adviser of the Home Secretary in the matter of the arrest of Michael Davitt, the one argument which prevailed most strongly with me against his arrest was the fact that he had made that attack upon myself. He was arrested simply from a sense of public duty. I should not have thought it necessary for my character in the House to have made this reply to the insinuation of the noble Lord; but it was rendered necessary owing to the use that might have been made of it elsewhere.

MR. DILLON said he did not rise to support the Amendment; but rather to make a personal statement. He was not quite ready to accept the extraordinary argument of the Home Secretary in answer to the speech of the noble Lord (Lord Randolph Churchill), when he asked that an arrest of a Member should be communicated formally to Parliament in order that a debate might be raised. The difference lay between the arrest of a man on a charge and only on suspicion. He rose to make, as he had said, a personal remark, as the Home Secretary appeared to be in a good humour. He wished to say—he might say that he would personally appeal to him—that if he considered it necessary to set detectives to watch him, he would kindly exempt his friends from the same treatment. A gentleman had complained to him to-day that, in consequence of being seen talking with him (Mr. Dillon), he was followed to his house by a detective. One of the Scotland-yard detectives had already been stationed in Craven Street, to watch over his morals, he supposed.

MR. T. P. O'CONNOR said, he should not vote on the Amendment, his reason being that, as he was a member of the Executive Committee of the Land League, it would appear that he was voting on a matter in which he had a personal interest. With regard to the remarks of the right hon. Gentleman the Chief Secretary for Ireland, he did not blame him for showing a certain amount of warmth in replying to the insinuation of the noble Lord the Member for Woodstock (Lord Randolph Churchill). He agreed, however, with the noble Lord's remark thus far—that there was no better reason for the arrest of Michael Davitt than his having made an attack upon the right hon. Gentleman.

THE CHAIRMAN: I doubted very much whether it was in Order to permit reference to this matter at all; but I must now decline to allow the subject to be further discussed.

MR. T. P. O'CONNOR said, he was replying to the statement of the right hon. Gentleman; but as the Chairman had ruled his remarks out of Order, he should not proceed with them. He confessed he listened with a great deal of delight to the speech of the Prime Minister—to one of the highest intellectual treats the House was ever favoured with—and, whilst he was listening to the entrancing speech, he almost forgot that the right hon. Gentleman was reducing still further the space of time still left to the Committee before the introduction of the gagging Resolution.

THE CHAIRMAN: I do not see how this bears upon the Amendment before the Committee.

MR. T. P. O'CONNOR said, he had sufficiently indicated what he wished to say, therefore he would not go further into the matter. He would deal with the first statement of the Home Secretary that the House would be informed of the arrest under the Bill of a Member of Parliament. According to the Bill the Government would be bound to lay

> "A list of all persons for the time being detained in prison under this Act, with a statement opposite each person's name of the prison in which he is detained for the time being, and of the ground stated for his arrest in the warrant

under which he is detained" before "each House of Parliament within the first seven days of every month during which Parliament is sitting,"

He did not think, therefore, seeing that the arrest of a Member would have to be communicated in the ordinary way, that the Committee had anything to be thankful to the right hon. Gentleman for. There was a strain of fallacy running all through the speech of the Prime Minister. No doubt, the tendency of recent legislation and practice had been to diminish the personal privileges of Members of Parliament, which at one time had been considerable. In the good old times a predecessor of his, fearing arrest for debt on land, had been obliged to address his constituents from a boat on a lake, where he was secure from arrest. But whilst personal privileges had been abridged political privileges had been enlarged and increased. He had no confidence, however, in the Government, or, at any rate, not enough to believe that they might not in a moment of frenzy—and the new Rules and proceedings of the past few days had inclined him to believe that they were subject to moments of frenzy—take it into their heads that the best way to silence a Member was to place him within the walls of Mountjoy Prison. He considered the Government capable of anything—in its treatment of the Irish Members, at all events. There was no reason why the Irish Members should be imprisoned beyond this—that they had the extraordinary ill luck to differ from the political opinions of right hon. Gentlemen opposite. The Home Secretary had assented to the statement of the hon. Member for Carlow that the present Government could do no wrong, and that might be the fact; but he and others failed to see it, in consequence of natural dulness, no doubt. He and his hon. Friends and the people of Ireland were of opinion that the Government were nearly always doing wrong so far as the government of that country was concerned. They were in this extraordinary position—that while the Government believed they were incapable of error, the Irish Members, on the other hand, were quite convinced of their constant subjection to fits of error. [*Cries of* "Question!"] He hoped the Chairman would protect him from the unseemly interruptions which were constantly coming from hon. Members behind the Treasury Bench, and especially from some Members of the Legal Profession. He was observing, when interrupted, that it was the misfortune of the Irish Members to be at issue with the Members of the Government who thought they were always right, whilst the Irish Members believed them to be always wrong. What, then, would be easier for the Government than to arrest a Member of that Party on the imaginary ground of some offence embodied in the Bill? There was not an Irish Member against whom the Government could not get up a fictitious case with the means at their disposal under the provisions of this Bill. There was not one of them who had not said something or other on account of which the Government might "suspect" him, order his arrest, and stop his mouth. The noble Lord (Lord Randolph Churchill) had expressed fears as to his safety in Dublin; but he had no need to fear arrest, although his speeches at the Constitutional Club would, no doubt, be of a character calculated to disturb the maintenance of law and order in Ireland. The speeches made there, as a general rule, had a tendency to incite to violence and the disturbance of law and order. But the noble Lord was an Englishman. [*Cries of* "Question!"] He would not be curtailed in his remarks by any of these interruptions from the opposite Benches. The noble Lord had the good fortune to be an Englishman, and a Member of an English political Party; and what in an Irish Member was "high treason," "treason-felony," or "treasonable practices," in him would be perfectly lawful. The right hon. Gentleman opposite shook his head; but he was prepared to argue that no Irish Member had ever been guilty of a higher offence than the crime of differing from the politics of the Government. He was prepared to argue that *à fortiori* the Irish Members had always kept within Constitutional limits, and that the Government regarded as high treason the least difference of opinion from them on the part of the Irish Party. In the matter of precedents the case of the Government was rather unfortunate. The case of 1848 had been quoted, and why did the Government then refuse to exempt Members? It was because there were Members in the House who differed from the opinion of the Government, and they did not wish to give them the safeguard of exemption from the operation of the Act, because the case was exactly parallel to the present. He was quite convinced that the Government had far better reasons for refusing to exempt the Irish Members than those ethereal and intellectual reasons put forward by the Prime Minister. To listen to his speech one might have thought that he had been giving them a dialectical discourse on some metaphysical subject; but he had a far better reason for the course he was taking than those that appeared from his observations. He (Mr. O'Connor) did not shrink from making the assertion that the real reason was that the Government might be able to put political opponents into prison in order to close their mouths. He had said several times during the discussion of the Bill, and he would repeat it, that the measure was meant not so much to give them immediate powers as to give them a reserve power, which they might use as their political necessities or their friends of the hour might dictate. They wanted to reserve themselves the right at their discretion—or indiscretion—to put certain people in such a position that they could silence their voices at a moment's notice.

Major NOLAN said, there was a point which he did not think any other hon. Member had touched upon—namely, that the principle of the Amendment was adopted in the French Chamber of Deputies in 1871, and was found very serviceable, as, but for its establishment, many Members of the Chamber would have had to leave the country. The rule had been used several times in French history to protect Members who were liable to be concerned in much greater troubles than ever arose in England or Ireland; and they had been found extremely valuable for protecting Deputies who were doing their duty to their constituents. That point seemed to add a great deal of weight to the proposal of the hon. Member for Carlow. If the rule was found necessary in such a highly-civilized country as France, surely it would be necessary here. It was quite possible that, a few years hence, when this Act had been renewed or another was passed following this precedent, it might be highly important that the Members of the minority should not be liable to be thrown into prison on suspicion without the leave of the House having in the first place been obtained. He did not shrink from putting the important part of the question prominently forward, and he thought some of his Friends had been wrong in saying they would not support the Amendment. It might be chivalrous for Members to say that they would share the dangers of their constituents; but, to his mind, it was of the highest importance for freedom of discussion to protect the liberties of Members. It was difficult enough for them to go on with the liberty they had. Although, in England, 99 out of every 100 of the people might think differently from an Irish Member, yet that Gentleman, when he went over to Ireland, found just the same proportion of his constituents of an exactly opposite way of thinking. It was absolutely necessary that the privileges of the Irish Members should be preserved, for they were a small minority opposed to a large majority—a majority backed up by the feeling of this great city and this great country. Hon. Members would not be doing right if they left the House and refused to vote on the Amendment. The Prime Minister had given them two or three reasons why the Amendment should not be accepted, and one was that the House should not assume Executive responsibility by making itself the judge of the reasonableness of a particular case of suspicion. He did not agree with the Prime Minister. No doubt the right hon. Gentleman knew more about it than he (Major Nolan) did, yet it seemed to him that every time they went into Committee, on a Railway Bill, for instance, they had to perform a certain amount of Executive work. If the House had to give a tacit assent to the rules to be prepared under the Bill, that would be Executive work to a certain extent. Every Legislative Assembly did Executive work in one way or other; and, even though the House might be trespassing upon the work of the Executive, he could not but think that the Amendment ought to be accepted. He urged the Government to accept the proposal, because if they did not it would show a desire on the part of the Government to drive the Irish Members from their own country. All the Irish Members ought to give up their own private views and vote for the Amendment, if only as a protest against the future action of the Government.

MR. R. POWER trusted the Amendment would not be pressed to a division. Up to the present he had found it difficult to agree to the proposals of Her Majesty's Government; but in this case he was in favour of the clause as it stood. The Prime Minister had told them that personal privileges were more and more abridged every day, and that was perfectly true. In a short time there might be none at all. But he must say he could not see why a Member of Parliament, if he were suspected of having committed an offence, should have greater privileges than anyone else. The hon. Member for Southwark (Mr. Rogers), who was a great authority on the Rules of the House, had told them that it was with the greatest pain that he voted for the Bill; but it was a singular fact that there was not one who had spoken on that (the Ministerial) side of the House who had not said the same thing; and hon. Members in that part of the House must, by this, be suffering great agony. It was said that the measure was not of such a frightful character, and that, really, innocent persons would not suffer under it; but, to show the Committee its dangerous character, even the noble Lord the Member for Woodstock was afraid of it—really afraid to visit his relations in Ireland. He regretted that the noble Lord had not been frightened a little earlier in the debate, and then, perhaps, he would have voted with the Irish Members a little oftener. Of course, the hon. Member, when he moved the Amendment, had not this idea in his head; but it did seem to him (Mr. Power) that the proposal was rather cowardly. He could not resist that conclusion. It had often been said that a preacher in a pulpit was six feet above argument; and he maintained that if the Amendment were carried, and he went home to address his constituents, he would certainly be six feet above them. He would not go to them unless he were prepared to meet them on equal terms. He had not, and he would not, advise them to take any course that he himself was not prepared to take; and he had assured them that, through his advice, they could make no sacrifice that he was not prepared to make. He could assure the House that the leaders of the movement in Ireland were quite prepared to abide by the advice they had given to the people in Ireland, and that they required no Amendment of this kind to protect them from the results of their speeches or action.

MR. T. D. SULLIVAN did not rise for the purpose of supporting the Amendment, nevertheless he thought it right to make just a word of remark upon the statement made by the Prime Minister in his recent speech, when he said that Members had no privileges that would prevent their arrest for indictable offences; but he had yet to learn that to be amenable to "reasonable suspicion" was an indictable offence. This was said to be a very fast age; but, really, they were going fast in the extreme if "reasonable suspicion" was to be treated as an indictable offence. The noble Lord the Member for Woodstock had, in his speech, referred to the possibility of his own arrest, and that was treated by the occupants of the Treasury Bench as a chimerical idea; but he did not know why it should be so treated, because he knew a magistrate who had recently declared that he would arrest any man going about the country sowing ill-will between the people and the Government. Of course, the noble Lord the Member for Woodstock might sow ill-will between the people and the Government, and so might many hon. Members, and they would all be liable to arrest under the terms of the Act. But what was the use of their talking or pleading for the "ancient privileges of Parliament?" The Committee appeared to be in a giving vein, and, having given up so much of the "ancient privileges," it did not become hon. Members opposite to trifle about such a small matter as this Amendment. They might as well let the last remnant of their privileges go as so much had gone already, and he would advise them to present themselves before the Prime Minister, and say—"Hail, great Cæsar! We, who are about to die, salute thee!"

SIR JOSEPH M'KENNA said, that if his hon. Friend went to a division he should support him; but, before doing so, he would tell the hon. Member that this safeguard, which he looked forward to, was of a very illusory character. [*Cries of* "Agreed!"] Would the Chairman protect him from these interruptions? He would suggest that some Amendment should be brought in which would place it beyond the power of the present or any Government to arrest a Member of Parliament without some specific charge being laid against him on oath.

Mr. FINIGAN said, that when the Prime Minister was addressing the House this evening, he interrupted him—a proceeding for which he was somewhat sorry—with the statement that the Constitution was "what he liked." He was incorrect in that statement, and he would now tell the Committee what he really meant. What he meant was, that up to a certain point in this debate the Prime Minister and those around him had acted as though they were the real guardians of the Constitution, and thought they could make the Constitution what they liked. But, in justice to truth, he must specifically state that whatever Constitutional rights the Irish Members enjoyed in this debate were to be traced to the Constitutional action of the Leaders and Members of the Conservative Party. The Constitutional rights they enjoyed——

The CHAIRMAN: The hon. Member is not speaking to the Amendment at all.

Mr. FINIGAN said, he thought he was endeavouring to answer a specious argument of the Prime Minister; but as the Chairman had ruled him out of Order, he would content himself with saying that he, as an Irish Member, did not require the sympathy of theoretical Whigs, nor the benefit of any historical considerations adduced by any supporters of Her Majesty's Government. He was cognizant of having broken no law, nor did he intend to break any; but he proposed to go to Ireland, and continue there in that course of Constitutional agitation and regeneration which was so highly commended by right hon. Gentlemen opposite when they were out of Office; but all mention of which was absent from their political utterances to-day. It was the old play; they got fair play——

The CHAIRMAN: The hon. Member cannot go on unless he becomes relevant to the Question.

Mr. FINIGAN: I neither want the sympathy of this House——

The CHAIRMAN: Having already drawn the attention of the Committee to the continued irrelevancy of the speech, I must now rule that the hon. Member discontinue his speech.

Dr. COMMINS did not rise to support the Amendment. He could not help expressing surprise at the argument with which the Prime Minister opposed the Amendment. He had given them the authority of *Blackstone* to show that the arrest of a Member of Parliament might take place for treason, felony, or breach of the peace. The right hon. Gentleman forgot the very small incident accompanying *Blackstone's* remarks—namely, that he had first dealt with the abolition of prerogative arrests—the arrests by Royal authority, for which there was no remedy. He forgot that under the ordinary law arrest was but a preliminary step to trial; but under this Act arrest would not be a step towards trial, and, therefore, the elaborate and ingenious argument of the Prime Minister was beside the question, and of no avail. If hon. Members who formed the overwhelming majority on the Government side were willing to lay their privilege of speech at the feet of the Prime Minister, that was their look out; but the Irish Members were unwilling to be the means by which the liberties of England were to be sacrificed. The other reason for which he was opposed to the Amendment was, that it would give a false security, a sham, and a deluding protection, where there would be no real protection whatever against the arbitrary conduct of the Prime Minister and the Chief Secretary. The Bill left to the Government all the plenitude of their power, without remedy or restriction. Notwithstanding all this, he certainly should prefer to trust his liberty to the Chief Secretary rather than to the majority of the House, after the temper they had displayed on the subject.

Mr. LEAMY appealed to the hon. Member for Carlow (Mr. Gray) to withdraw the Amendment. He knew that his hon. Friend had been actuated by the best intentions in proposing it; but he believed that it was disliked by the Irish Members generally. He had not held himself entirely aloof from the land agitation; but he did not wish to have a shield thrown over his actions which was not enjoyed by others engaged in the movement.

Mr. GRAY wished to say a word by way of personal explanation. The hon.

Member for Southwark (Mr. Rogers) commenced his speech by saying that he (Mr. Gray) had, in some way, trumped the hon. Member's card, and that in doing so he had acted contrary to the Rules of the House. Now, the Notice he (Mr. Gray) had given of this Amendment was given without the slightest knowledge of the Proviso placed upon the Paper by the hon. Member. He knew nothing of the hon. Member's Notice until he saw it upon the Paper the next day; and all he knew of the matter now was that his Notice took precedence of that of the hon. Member. Perhaps he might be allowed to say a word in reference to the appeal which the right hon. Gentleman the Prime Minister had made to him. The right hon. Gentleman seemed to think that the burden of proof rested upon the proposer of the Amendment. Now, he did not think so, because the Acts of 1848 and 1866——

THE CHAIRMAN: The hon. Gentleman is now replying to a speech, and is not making an explanation. He is, therefore, out of Order.

MR. GRAY: Then I can only say, under the circumstances, that, notwithstanding the appeals which have been made to me, I shall feel it my duty to press the Amendment to a division.

MR. CALLAN said, the hon. Member for Southwark (Mr. Rogers) shook his head when the hon. Member for Carlow (Mr. Gray) stated that he had not, intentionally at least, trumped the hon. Member's card, as it was only by a mere accident that the Notice of the hon. Member for Carlow came before that of the hon. Member for Southwark. He was sorry that the hon. Member for Southwark had such a bad habit of blowing his own trumpet.

Question put.

THE CHAIRMAN declared that the "Noes" had it; but the decision being challenged—

THE CHAIRMAN: Will the hon. Members who have challenged my decision kindly rise in their places? I ask them to do so under one of the new Rules, Rule 16.

MR. GRAY asked, if the division bell ought not, in the first instance, to be rung in the Lobby?

THE CHAIRMAN: The object of the Rule is to save the time which would be occupied in taking a division; and my interpretation of the Rule is, that it should be brought into operation before the ringing of the bell.

Notice taken, that 40 Members were not present.

THE CHAIRMAN: There are obviously 40 Members present. Will those hon. Members who have challenged my decision please to rise in their places?

Six Members rose accordingly.

THE CHAIRMAN: Then the "Noes" have it.

Amendment *negatived.*

MR. GRAY moved to insert, at end of sub-section 2, words providing—

> "That if any Member of either House of Parliament be arrested under this Act, the fact shall be immediately communicated to the House of which he is a Member, if Parliament be sitting at the time; and if Parliament be not sitting, then immediately after it re-assembles."

He did not move this Amendment from any desire to take up the time of the Committee needlessly. He had drafted the Amendment in accordance with a suggestion which was made in the speech of the noble Lord the Member for Woodstock (Lord Randolph Churchill), and he would leave it in the hands of the Committee without saying a word further upon it.

Amendment proposed,

> "In page 2, line 18, at the end of sub-section 2, to insert the words, "Provided, that if any Member of either House of Parliament be arrested under this Act, the fact shall be immediately communicated to the House of which he is a Member, if Parliament be sitting at the time; and if Parliament be not sitting, then immediately after it re-assembles."—(*Mr. Gray.*)

Question proposed, "That those words be there added."

MR. W. E. FORSTER: I understand the Amendment to be moved in order to remove the possibility of a doubt. The hon. Member's Amendment provides that if any Member of either House of Parliament be arrested, the fact of his arrest shall be communicated at once to the House of which he is a Member, if Parliament be sitting at the time, and, if Parliament be not sitting, then immediately after it re-assembles. I would suggest an alteration in the terms of the Amendment in this way—that the fact shall be communicated to the House of which he is a Member in the same manner as if he had been arrested on a criminal charge. The only possible objection would then be removed, and the wording of the clause would be in conformity with the usage and long custom of Parliament, which has been to say that if a Member be accused or arrested on a criminal charge, the House shall be immediately informed. If a man is arrested under this measure, under reasonable suspicion, he would be placed in the same position as if he had been accused or arrested upon a criminal charge.

Mr. GRAY said, he would have no objection to the Amendment suggested by the right hon. Gentleman, if its only effect would be to put the matter in the usual form; but he should certainly object to any form of words which would suggest that an arrest on suspicion was an arrest on a criminal charge. Would the insertion of the words "in the usual form" meet the wishes of the right hon. Gentleman? That would avoid even a suggestion that there was anything criminal.

Mr. W. E. FORSTER: It has invariably been "in like manner, as if he were arrested on a criminal charge."

Mr. GRAY: It is not upon "a criminal charge," but only upon "a reasonable suspicion."

Amendment proposed to said proposed Amendment, to add the words "in like manner as if he were arrested on a criminal charge."—(*Mr. W. E. Forster.*)

Question proposed, "That those words be added to the said proposed Amendment."

Mr. CALLAN said, he had not been in the House when this question rose. He had, however, been a Member of the House for 13 years, and during that time he only recollected the case of one arrest of a Member of Parliament. Although he had not been as diligent as the hon. Member for Southwark (Mr. Rogers) in searching the Journals of the House, he was aware that there was any precedent in regard to the mode of announcing such an arrest to the House.

Question put, and *agreed to.*

Amendment, as amended, put, and *agreed to.*

Mr. METGE moved, as an Amendment, in page 2, line 18, at the end of sub-section (2), to add—

> "Every warrant under this Act shall state the prison in which the person directed to be imprisoned by the warrant shall be detained, and no prisoner under the Act shall be removed from one prison to another until a warrant, directing such removal, shall have been made out and signed by the Lord Lieutenant, and such warrant of removal shall state the prison in which the prisoner has been removed and in which he is detained."

He thought the Amendment was one which would commend itself to the Chief Secretary and to all hon. Members who had any recollection of the case of Casey, which had been brought before the Committee in the course of the discussion of the Bill. He (Mr. Metge) was the first person who brought forward that case, and he thought it fully warranted the Amendment he now moved. Casey was arrested under the Westmeath Act in 1870, and his case was brought before the House in 1874 by Mr. Blake and Mr. Butt, after the unfortunate man had suffered three years' penal servitude in solitary confinement. Mr. Roebuck, in speaking of the treatment to which Casey had been subjected, said, in that House, that it reminded him of the days when Irishmen were treated as wild beasts. The principal reason why the case was not brought under the notice of the House before 1874 was that he had been moved from prison to prison without any information being conveyed to anyone connected with him. His father, a paralyzed man, travelled over Ireland, from North to South and from East to West, in search of his son, Casey being the sole means of the father's support. At last, by a mere accident, he found the unfortunate man confined in some goal in the South of Ireland, and, after great delay, he succeeded in bringing the case before Parliament. But at that time it was found that this unhappy man was in such a dangerous state of ill-health that he never recovered. No charge whatever had ever been substantiated against him. He (Mr. Metge) relied upon this case as an ample justification for the Amendment, and he would not detain the Committee by citing further instances. If the Amendment were adopted, they would preclude all danger of a similar case ever occurring again. He only asked that the change of the prison, from time to time, should be marked on the warrant. These might appear to be trifling matters, and matters of mere detail; but they were matters of the highest importance to the accused and to his friends and relations. Every opportunity should be afforded them of tracing the whereabouts of the arrested person, so that they might be able, if necessary, to bring the case under the notice of the House, from whom, he was perfectly sure, it would receive full justice and an impartial consideration.

Amendment proposed,

In page 2, line 18, at the end of sub-section (2), to add these words, "Every warrant under this Act shall state the prison in which the person directed to be imprisoned by the warrant shall be detained, and no prisoner under the Act shall be removed from one prison to another until a warrant, directing such removal, shall have been made out and signed by the Lord Lieutenant, and such warrant of removal shall state the prison to which the prisoner has been removed and in which he is detained."—(*Mr. Metge.*)

Question proposed, "That those words be there added."

MR. DAWSON hoped that this concession was so very much within the spirit of what the right hon. Gentleman the Chief Secretary had himself stated that it would not be opposed by the Government. He understood the right hon. Gentleman to say, in a previous part of the discussion of the Bill, that, as far as possible, the prisoners arrested under this measure would be confined in one prison. He also understood that there was to be a monthly Return laid before Parliament, giving a list of all persons for the time being detained in prison under the Act, with a statement opposite each prisoner's name of the prison in which he was detained, and of the ground stated for his arrest in the warrant under which he was detained. He thought, therefore, that the Chief Secretary might go one step further and accept this Amendment, which would be an assurance tending to satisfy the Irish Members that a repetition of Casey's case would not occur, and that it would not again be necessary for the friends and relatives of a prisoner to have to track him all over the country, or, as an alternative, that the unfortunate man should become completely forgotten by the Government and by the few insignificant persons who ever knew anything about him. He asked the right hon. Gentleman to give some assurance that if it was found necessary to remove a prisoner from one prison to another the fact of the removal should appear upon the warrant, so that there would be no difficulty in ascertaining the place of confinement of any particular individual. This would prevent the recurrence of such a terribly distressing case as that of Casey. If an understanding of this kind were come to with the Chief Secretary, it would not be necessary for his hon. Friend the Member for Meath (Mr. Metge) to press the Amendment further.

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON) thought that, some time ago, he had satisfied the hon. Member for Galway (Mr. T. P. O'Connor) that a provision of this kind was entirely unnecessary. Under the Act, a person who was arrested on suspicion could only be detained in such prison as the Lord Lieutenant might direct. Under the Prisons Act, he could only be removed by an order, and the order must specify not only the prison from which he was removed, but the prison to which he was removed. The present Bill further provided that there should be a monthly list of persons detained under the Act furnished to Parliament, which should state the prison in which each person, for the time being, was detained; so that everything required by the hon. Member was already given, and all these facts would be made known.

MR. METGE asked what Act the hon. and learned Gentleman referred to?

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON): The Prisons Act, 1877.

THE CHAIRMAN: Does the hon. Member for Meath (Mr. Metge) ask leave to withdraw the Amendment?

MR. METGE: If the Amendment would effect no change, what objection can there be to its insertion?

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Because the matter is already settled by law; and I apprehend that this Amendment is quite unnecessary, and it would only lead to confusion to re-enact what is already law.

MR. METGE: To tell the truth, I have very little respect for the law as it stands. ["Order!"] I only wished to explain my reasons for pressing the Amendment.

Mr. W. E. FORSTER: I may say this—that, in regard to Casey's case, I am very sorry for what is stated to have happened; but I know nothing personally of the facts. Such a thing could not occur to anybody arrested under this measure. My hon. and learned Friend the Solicitor General for Ireland (Mr. W. M. Johnson) is, I am perfectly sure, right in his statement that everything the hon. Member proposes by his Amendment is provided for by the Bill and by the Prisons Act of 1877. If the hon. Member can find out, between now and the Report, that my hon. and learned Friend is wrong, and will mention the matter, I will see that it is put right. It would be utterly opposed to all the practice of Parliament to put into an Act of Parliament a clause re-enacting what is already the law.

Mr. METGE: After the undertaking which has been given by the right hon. Gentleman, I will withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Mr. W. J. CORBET moved, as an Amendment, in page 2, after sub-section (4), to insert the following words as a new sub-section:—"(5) 'Person' means adult male person." The effect of the Amendment was simply to provide that women and young persons—persons under age—should not be imprisoned. Hon. Members on the other side of the House could have very little idea of the deep interest which the ladies and women of Ireland took in political affairs. They were, most of them, Land Leaguers, and, certainly, all of them Home Rulers; and as such they might render themselves liable, as the Bill now stood, to be imprisoned under the Act, which would be most unfortunate for them, as the Bill, in providing for the arrest and imprisonment of persons on suspicion, did not provide for their liberation on bail. The Government, as it were, had thus thrown away the key of the gaol; and a woman once imprisoned would have very little chance of getting out again. He, therefore, hoped that Her Majesty's Government would agree to the Amendment.

The CHAIRMAN: The hon. Member proposes to insert this Amendment after sub-section (4). The Committee is now upon sub-section (3), and it will, therefore, come after sub-section (3), and not sub-section (4).

Amendment proposed,

In page 2, after sub-section (3), to add, as a new sub-section, the words "(4) 'Person' means adult male person."—(*Mr. William Corbet.*)

Question proposed, "That those words be there added."

Mr. W. E. FORSTER: I hope the hon. Member does not suppose that the Government contemplate the arrest of women. I do not think it at all probable that any women will be arrested under this Act; and I do not contemplate that any of the offences specified in the Bill are likely to be committed by them. But it must not be forgotten that when women do take part in an agitation, they form one of the great difficulties the constabulary have to contend with. It is very much to the credit of the constabulary that they feel this difficulty very greatly; and it has often occurred in cases where they have had to protect process-servers, and other cases in which there has been popular excitement, that the women have been put in front, under the impression that the constabulary would not like to fire upon them, or use any kind of violence towards them. There have, undoubtedly, been cases in which women have abused their privileges; and in some intsances the constabulary have been very badly treated, especially in cases where they have been engaged in protecting the serving of processes. I am only mentioning this as an illustration of the difficulty which the constabulary have to contend with, owing to the active interference of women. We cannot suppose that women should be altogether free from arrest under this measure, if they bring themselves within the scope of it. We cannot, therefore, make an exception; but I should be extremely surprised to hear that it has been found necessary to arrest women.

Mr. GRAY would remind the right hon. Gentleman the Chief Secretary for Ireland that it was only the other day that a very little boy was arrested for intimidating a magistrate named Dunn by whistling. If the right hon. Gentleman would not assent to the insertion of the words "adult male person," would he assent to the modification which would protect infants from the operation of the Bill? In law an infant was not responsible for an act which adult males or female were responsible for. If he would limit the age to 10 he might convey a solace to hon. Members on that side of the House.

MR. W. E. FORSTER wished to say one word in explanation. Did any hon. Member suppose for a moment that the Lord Lieutenant would sign a warrant for the arrest of a child 10 years old? Her Majesty's Government could not take the legal word "infant," because it would include young men of 19 or 20, by whom, he believed, many of the offences aimed at were committed.

COLONEL MAKINS considered the suggestion to exempt infants one of the most childish ever made, because a young man of 19 taken with a pistol in his hand might, if it were adopted, plead that he was only an infant in arms.

MR. A. M. SULLIVAN said, one object of his hon. Friend was to prevent children being taken up. The Chief Secretary for Ireland had asked if any hon. Member believed that the Lord Lieutenant would sign a warrant for the arrest of a child 10 years old, and then he protested that young men of 19 should not be exempted from the operation of the Bill. But he (Mr. A. M. Sullivan) wanted to know what would be done in the case of youths of from 14 to 18 years of age? Evidently there was some age in the mind of the right hon. Gentleman at which it would be a shame to arrest a child, and one at which it would not. He could not help thinking that there would be laid before the Lord Lieutenant under this Act some very strong cases against women and children. The right hon. Gentleman had said, too—"Let us not omit women, because by this you hold out the temptation to have women put in the forefront of the battle." Why did he not say—"Let us not omit children, because they might then be put in the forefront of the battle?" The right hon. Gentleman was very candid about women. He would not admit them to the franchise, yet he was quite prepared to open the door of the Habeas Corpus Suspension to them. He contended that it was the very absurdity of legislation, when they were bringing in a Coercion Bill, to put women and children under the power of being arrested on suspicion of treason against the State. The Austrian Marshal Haynau was once mobbed in the streets of London because he had flogged women; and in the same capital they were about to pass an Act of Parliament under which women and children might be arrested, not on the charge of any crime, but upon suspicion only. Howsoever the Government might defend and palliate the arrest and imprisonment of men, he protested against subjecting women to police suspicion and imprisonment. There was a degradation in this which transcended the degradation suffered by men in similar cases; and he urged the Government to pause, and draw the line against including women in this political measure.

MR. DILLON remarked, that the Chief Secretary for Ireland had told them that women had showed considerable bravery in facing the police. But the women referred to were taken in the act, red-handed, and therefore a Bill for arresting persons on mere suspicion was not required in their case. If the Chief Secretary did not intend to arrest women under this Act, why did he not accept the Amendment? They intended to press it to a division.

MR. O'SULLIVAN wondered that the right hon. Gentleman the Chief Secretary for Ireland had expressed surprise at the proposed Amendment. But he could assure the Committee that within his own knowledge two boys of 13 and 14 were arrested in 1867, in his own town, under a similar Act, and kept in prison for three and four months. No charge was preferred against them; but they were taken up because their fathers and brothers were suspected, and, therefore, the boys were arrested as well.

MR. LABOUCHERE said, the hon. and gallant Member (Colonel Makins) had remarked that that was a very childish suggestion. It appeared to him (Mr. Labouchere) to be a ladylike Amendment. But, at the same time, he was not inclined to vote for it. Hon. Gentlemen opposite contended very well for the ladies of their country; but he thought the ladies of Ireland would be quite ready to share the dangers of the Act. In politics, what was sauce for the gander ought to be sauce for the goose.

DR. COMMINS did not know whether the hon. Member for Northampton (Mr.

Labouchere) was aware that, according to the law of England, women were acquitted of even murder on the ground of coercion by their husbands. That principle had been put before the world by Constitutional writers, and by writers upon the theory of the law, as one of the fruits of the tender-heartedness of the law of England. That, however, seemed to be turned into stony-heartedness in dealing with Irish women. There was to be no privilege of coverture in Ireland under this Bill. If that was the humanity of the British law, he was afraid that the Irish people had not learned to appreciate it.

Mr. FINIGAN rose for the purpose of asking an English House of Commons to apply the same principle to women and children in Ireland which, with so much justice, they applied to women and children in England. Special attention, he reminded the Committee, had been given to questions relating to women and children under the Factory Acts, particular regard being had for those under 15 years of age. He thought hon. Members should be ready to extend that chivalrous feeling to Ireland which they demanded for England. The hon. Member for Northampton (Mr. Labouchere) deserved the approval of all Irishmen for his high estimate of the courage of Irish women; but he (Mr. Finigan) had yet to learn that people who called themselves English gentlemen were unchivalrous enough to attempt to do in Ireland what they dare not do in England. In not agreeing to the Amendment, they were acting in a spirit of prejudice, which warped and blinded their better judgment.

Mr. DAWSON (who spoke amid great interruption) said, when the privileges of Members of Parliament were under discussion, he had not thought it necessary to intervene between the Committee and a division. But, as an Irishman, he could not remain silent now, when the safety of the women of Ireland was at stake. When, on most likely unfounded suspicion, the gentlewomen of Ireland were to be dragged from their homes on the word of a spy, he could not, even in the teeth of the interruptions of hon. Members, be prevented from expressing his indignation, not as an Irishman, but as a man, against this disgraceful Act that the men of England were about to impose upon the women whose unsullied virtue was equalled by few and surpassed by none. Their virtue and liberty were at stake. Were they to be dragged from their homes by rude policemen, without the protection of their brothers and sons and husbands who would die for them? He ventured to say that if there were a manly heart and bosom in the House it would associate itself with the spirit of the Amendment. He spoke as a husband himself, and had no doubt he gave expression to the feelings of every husband in Ireland in saying that any man who came to lay hands upon his wife would do so over his dead body. They had never put so fatal a blot upon their character as Englishmen as hon. Members would now do by leaving women open to the procedure of the Bill; but he would tell them that if Irish women were to be taken away from their homes and their husband's protection, and given up to the rude soldier and policeman, they would leave a degrading stain upon themselves which all their efforts in Ireland, past or future, should never efface.

Mr. HEALY said, this was the first occasion on which the Chief Secretary appeared in the character of a lady-killer. Whatever grudge he might have against hon. Members on that side, surely he could have none against "their sisters, and their cousins, and their aunts." But the feeling displayed on that occasion was quite in keeping with the general character of the action of the Government. The Government assumed that as the men were taken away the Irish women would take their places. The proceedings of the Government, therefore, did not strike Irish Members as being in any way extraordinary. The Committee would bear in mind that although the Government refused to exclude women, under previous Acts they arrested children of tender years for singing ballads in the streets, and the resolution of the right hon. Gentleman to not exclude women and children from the operation of the present Bill was quite in keeping with the conduct of his Predecessors. The Government, remembering, probably, the courage and action of the women of Limerick of old, refused to exclude females from the Bill; and he congratulated them upon the "firm stand" they had made in defence of law and order in Ireland, which was, perhaps, in this case, the highest compliment that could be paid to the ladies of Ireland.

MR. O'DONNELL should certainly have regretted if Her Majesty's Government had come to another conclusion than they had. It was quite in keeping with their whole policy to take away the protection of the law from women attempting to exercise their rights. He felt sure the women of Ireland would be proud to share the sufferings of their countrymen under the odious tyranny about to be inflicted on Ireland, and was in no way surprised to find a renegade Liberal Party borrowing from the Russian system.

MR. T. D. SULLIVAN said, that the Government were now about to found their reputation on a Bill to arrest women and children upon suspicion. He desired to say that that constituted a real peril of many young women in Ireland, for he did not see how they could purchase the attention of the policeman when they were liable to be imprisoned for so doing.

MR. BIGGAR did not think the Committee should accept the Amendment, for they all knew that the Bill was brought in entirely and purely for Party objects, and had no reference to alleged outrages or to real political grounds. For that reason, he thought that, seeing that women had no votes and no power to have their opinions represented politically, they should not be brought within the provisions of the Bill. If women committed offences they ought to be punished, if evidence could be given against them; but it was not pretended that women were so very dangerous to the nation that they should be arrested on bare suspicion of offence of which there was no evidence, and he thought the Committee ought certainly not to make it appear that women should be so punished. It was entirely a Party move on the part of the Government; but they could not allege that the political influence of women was so strong that the Government could improve their influence by persecuting the women of Ireland.

MR. LEAMY observed that, although the Government had not shown themselves very friendly to Irish Members or to Irish liberty, he believed that they would not descend to the meanness of imprisoning women and children on suspicion. It was perfectly certain that Irish women and Irish girls would not be deterred from taking the part they had for years taken along with Irishmen in any good cause because the Amendment was not assented to. He was convinced that when the story went to Ireland that the so-called Liberal Government had refused to accede to that simple Amendment, having placed the liberties of Irish men at the mercy of the Lord Lieutenant, it was not satisfied without exposing women and girls to the suspision of the informer and the spy. It would do more to strengthen the national aspirations of Irishmen, and to make them long for the time of their independence than anything else could.

MR. PARNELL (who rose amid loud cries of "Divide!") considered the Amendment very reasonable, and pointed out to hon. Members who were in such a hurry for division that in this respect the Government did not compare very favourably with the last Government, which happened to be a Tory one. He could recollect that in the debates on the Army Discipline Bill, an Amendment providing that female camp-followers should not be shot was agreed to by a Conservative Government, and inserted on the Statute Book without opposition. Why could not the Liberal Government be as good as its Predecessors? Did the right hon. Gentleman the Chief Secretary intend to put women and children in prison under the operation of the Act? During the American War there was a certain General, whom he would not name, who, by his conduct towards the women of New Orleans, gained for himself a very undesirable designation in addition to those which he had received at his baptism. He trusted the right hon. Gentleman the Chief Secretary did not intend, by his conduct to the women of Ireland under the provisions of that Act, to add any other prefix to his name than he had already gained.

THE CHAIRMAN: The hon. Member is going altogether outside the Question.

MR. PARNELL would bow with the greatest pleasure to the Chairman's decision; but he wished to ask the Government whether they really meant to go into the Division Lobby against the Amendment or not? If they did not mean to oppose the Amendment, why should they delay the time of the Committee by refusing their assent? [Mr. W. E. Forster assented.] The right hon. Gentleman said he did intend to vote against it. Then he thought it might be necessary to put the Bill in force against the women in Ireland. At least, then, they understood the ground upon which they stood, and they saw that the right hon. Gentleman expected that he might find himself in antagonism with a considerable section of the women of Ireland. It was true that many ladies had banded themselves into an association for the purpose of relieving evicted families, and of giving assistance to the families of prisoners under the operation of the Bill; but he should not have supposed that the Chief Secretary for Ireland would make the work of charity in which these ladies were engaged one of the offences for which persons were to be imprisoned in Ireland; otherwise, he he could not understand, for a moment, how women could possibly fall under the operation of the Act. They knew that the Bill had been practically brought in, to a great extent, under ideas and notions which had no existence. It was said that the Government desired to put down outrage in Ireland, and to put down agrarian offences; but could it be supposed for a moment that there were women in Ireland who would be engaged in agrarian offences? ["Hear, hear!"] Those who cried "Hear, hear!" showed that they were distinguished as much for their prejudice as for their want of argument. He hoped that they did not reason from the common experience of the women of the part of the country from which they came. The Committee knew, as a matter of fact, from the statistics which had been placed on the Table by the Chief Secretary for Ireland, that no example of an agrarian crime committed by a woman existed. If, then, women had not engaged in agrarian offences, which were the foundation and pretext and excuse for the Bill, why should not women be exempted? If it was not the intention of the right hon. Gentleman to attack them obliquely, and to use the Bill for a purpose for which it was not intended, and for which he had professed and stated it was not intended, why should he hesitate to accept the Amendment? He repeated, that the conduct of the Government was not worthy. They said the Bill was intended to put down "dissolute ruffians." Were the women of Ireland "dissolute ruffians?" Perhaps it was useless arguing the matter with a majority who were insensible to reason, and appeared to be so deaf to the feelings of chivalry which, in times past, had been attributed to English gentlemen.

Mr. MACDONALD urged the Government to give effect to the Amendment, observing that the Chief Secretary for Ireland, when he introduced the Bill, said that it was intended for the "dissolute ruffians" and "village tyrants." He did not mention the fact that he also intended to bring women and children within its scope. He (Mr. Macdonald) firmly believed that unless it was intended that women should be part and parcel of those to whom the Bill was intended to apply, there would be no hesitation in fairly and clearly putting it in the Statute that women would be exempted. The hon. Member for the City of Cork (Mr. Parnell) had referred to one who was guilty of flogging women, but did not mention his name. He (Mr. Macdonald) had no hesitation in mentioning his name. He knew who it was; it was General Butler. He appealed to the Government to take that safeguard against the possibility of the daughters and sisters of Irishmen being placed at the mercy of spies or wretched policeman. He was no "Woman's rights" man whatever; he had always divided against it when he had the chance; but he would go into the Lobby with hon. Members opposite, to protect women in this matter; and he lamented that chivalry, if there was any in the Liberal Party, had disappeared, and they were ready to put even women under that infamous Act.

Mr. DALY (who rose amid great interruption) expressed himself determined not to be shouted down by hon. Members on the opposite side. It appeared to him that what they were discussing bordered on absurdity, because it was plain to all men of ordinary intelligence that women could have no participation in agrarian offences, save, perhaps, in resisting eviction, when she naturally would resist the police. The police were evidently anxious to bring women to punishment. The Act was introduced because intimidation was abroad, and it was necessary to suppress it; but the notion of women taking part in that offence was an absurdity. An agrarian crime might be firing at the person or into a house, or houghing cattle. But no man supposed that women could be reasonably suspected of participating in any of those things. The Coercion Bill had disenfranchised the whole Liberal Party in Ireland, and it would not leave a sympathetic or loyal man in the country. Imprisonment to a man was nothing but detention for a time, and, perhaps, the loss of health; but to Irishwomen the stigma of having been in prison was indelible. There was not an Irishman from one end of the land to the other who would not more resent that infliction upon their women, simple as it might seem to Englishmen, than if they had kept every Irishman in prison for years. He would like to know why it was that that question appeared of more importance to Irishmen than to Englishmen? The reason was that Irishmen appealed to the hearts and sentiments of their women; but Englishmen appealed to their heads with their boots on.

MR. METGE said, he did not think that there would have been any debate upon the point at all; for he thought that, although Englishmen had taken away the Constitutional rights of Ireland, at least chivalry would be respected by English Gentlemen. [*Laughter.*] Hon. Members might laugh and jeer, and join in cowardly cheers, and try to hoot down the sentiments and feelings expressed by the hon. Member for Cork City (Mr. Daly); but although he (Mr. Metge) did not pretend to be a speaker, he would say what he had to say about the matter. What were they going to war against? Were they going to war against Irishmen? If so, why not shoot them down like dogs?

THE CHAIRMAN: The hon. Member is not speaking to the Amendment.

MR. METGE asked what the Government were going to war against? Was it against the women and children of Ireland? The people of Ireland well knew what style of warfare they might expect. He had no one connected with him belonging to the Land League; but every attempt to shout down the Land League would find an echo in Ireland, and Irishmen would now know what to expect. Was it necessary to for ever degrade the women of Ireland by placing them in such a position? Reason after reason had been given against the Amendment; but not a single man of the Liberal democratic mass had had the honour and spirit to say one good word for the females of Ireland, except the hon. Member for Stafford (Mr. Macdonald). He (Mr. Metge) cared little whether the Amendment was passed or not, for he would sooner see the English Government degraded than not. It was not the first time they had been degraded when they touched questions of that kind.

MR. REDMOND said, he could scarcely have believed that the Government would have opposed that Amendment. It was a strange commentary on the Government of his country by England that, in order to govern Ireland, they had to enact penal measures against the women. It was stated that the measure was directed exclusively against the perpetrators of outrages. Did the House mean to level such a calumny against the women as to say that they were perpetrators of the outrages? or that they had in the past incited, or would in the future incite, to agrarian outrage? If not, then the refusal to adopt the Amendment was nothing more than a gratuitous insult to the Irish women. There were things that the oppression of centuries could not deprive Ireland of, and amongst those relics of the past, the most precious was the fair name and the fair fame of the women of Ireland; and he protested, with all earnestness, against the miserable attempt on behalf of the Government to level such a black and unfounded calumny against the women of his country. He could not forget how Englishmen had treated women in other parts of the world. He could not forget the history of Jamaica. ["Order!"]

MR. R. N. FOWLER rose to Order, and asked whether the question of Jamaica had anything to do with the Question before the Committee?

THE CHAIRMAN: I did not hear what the hon. Gentleman said except the word Jamaica, and I did not know how he was going to apply it. I would, however, caution him to keep to the Amendment before the Committee; for Jamaica is a long distance from Ireland.

MR. REDMOND bowed to the ruling of the right hon. Gentleman, and would only say that the precedent he was about to refer to was very appropriate. He was about to show that the Government of England had acted even worse to the women of Jamaica than they now proposed to act towards the women of Ireland. The true meaning of that Bill was clear to the world. It was not levelled against the perpetrators of outrage, but against every man and woman who had the courage to stand up and defend those who had interested themselves in the cause of national independence. ["Divide, divide!"] He had no intention of detaining the Committee; but if there were one thing more than another that would induce him to continue his remarks it would be cries of that kind. It was said of the English Empire that it was one on which the sun never set. Was the Government of that Empire going to send forth to the world the statement that they were afraid of the women of Ireland, and that, in order to suppress a movement such as then existed in Ireland, it was necessary to alienate the better feelings of the Irish nation, and to enact a measure such as that affecting the liberties of women and children. If he were inclined to drag the English Government through the mire he could not do it more effectually than by voting against the Amendment.

Sir PATRICK O'BRIEN said, that no doubt the Committee would pardon him for making a few observations then, as he had not before spoken during the Committee stage of the Bill. He was disposed to make those few observations, no matter how unpopular they might make him out of the House. He would say that for many years of his life he had endeavoured, in his humble capacity, to support the Party who were then occupying the Ministerial Benches; but he did now concur with the hon. Gentleman who had just addressed the Committee, that he would blush for any Party in that House who could accept and admit a complete and entire necessity for including women under the terms of the Bill, and who could so far forget the principles of good government. ["Oh, oh!"] Perhaps hon. Gentlemen knew more about the Communists of Paris than they did of Irish women. He did think that it was the duty of any man who had been intrusted with the representation of any body of the Irish people to protest against the wording of the clause remaining so that there was a chance of an outrage being committed under that Act against the women of his country. The number of offenders of the female sex would be so infinitisimal, in all probability, that it was hardly necessary for women to be included in the scope of the Act. If the Amendment were not accepted, that Bill, which had been hitherto regarded with opprobrium, would become the subject of complete detestation in Ireland.

Mr. JUSTIN M'CARTHY said, that not a single voice had been raised from the Treasury Bench in favour of that proposal. He looked along that Bench, but he did not see the hon. Member for Liskeard (Mr. Courtney) there, who had so long fought "The Ladies' Battle" in that House. All that they asked was that women should be exempt from the Bill; and, if necessary, be proceeded against by the ordinary law. When they considered that they had the ordinary law going on with the police force, magistrates, Judges, and gaols, it would be seen that they had all the means ready at hand for punishing any woman for any offence which she might have committed. Women ought not to be subjected to a power such as that of lodging in gaol on suspicion. Under the exceptional power asked for a person could be sent to gaol and given no opportunity of demanding a trial or of proving his innocence. If that deplorable necessity existed as regarded men, they surely ought not to add to the difficulty of the position by inflicting that strange and anomalous punishment on innocent women. He believed that the Government greatly under-rated the importance of that question. They would find themselves much mistaken if they thought that the outcry which had been raised in favour of the Amendment was a simply sentimental one. It was, in fact, a substantial demand, founded in justice on the part of the Irish Members; and, if not agreed to, the consequence would be that a stronger feeling would be roused in Ireland against the Government than had been roused hitherto by the harshest infliction of the harshest measures.

Mr. T. P. O'CONNOR thought that the right hon. Gentlemen on the Treasury Bench scarcely saw the important issues involved. It was their wish that the Bill should not create more animosity in Ireland than it had already done. He thought that the tragic comedians of the Treasury Bench had already sufficiently exasperated the people of Ireland, and for that reason he wished to give a few words of warning. If they did not intend to arrest women under that Bill, why not say so? He challenged the right hon. Gentleman the Chief Secretary to answer. Did he, or did he not, intend to arrest women under the Bill?

MR. W. E. FORSTER: I began my remarks by saying that we did not expect to have to arrest them.

MR. T. P. O'CONNOR was very glad to get so distinct an answer. Now they knew how they stood. The right hon. Gentleman had, he thought, almost exhausted the list of possible blunders. But during his administration he was also going to drag the people through the mire of the Criminal Law.

THE CHAIRMAN: The hon. Member is now going beyond the Amendment.

MR. T. P. O'CONNOR thought he was within the lines of illustration. What were the consequences of arrest under that Act? In the case of a man he would become endeared in the hearts of his countrymen as being another martyr to the English rule. But in the case of a woman it would be a serious loss and damage; she would be injured for life. Did anyone suppose that a woman could come out from prison with the same repute among her neighbours as before? It would mean absolute ruin to her. The right hon. Gentleman was not satisfied with waiting until a woman had committed an overt act, but reserved to himself the right to arrest any woman on suspicion under that ridiculous and criminal Bill which he had brought in. He had heard it argued that if they insisted upon the Amendment it might happen that a larger number would take part in the Land League movement. That number, in his opinion, could not be too large. He appealed once more to the right hon. Gentleman the Prime Minister to know whether he really had determined that the present Liberal Administration should be associated in the minds of the Irish people with everything that was criminal, cowardly, and infamous.

MR. GLADSTONE: Sir, the Members of Her Majesty's Government have listened with patience and calmness to the speeches which have occupied the last hour and a-half, and which have displayed a great deal of heat of language. I hope, however, that that heat of language will not in the slightest degree mislead the judgment of the Committee, or veil from its Members the real question before them. It may, however, be right, after so many speeches have been made, even at the risk of delaying the decision of the Committee for another minute, to repeat, in the fewest possible words, what the nature of the question before us is. We do not, on this occasion, propose to suspend the Habeas Corpus Act with any difference of form from that which has been pursued on other occasions, and on no former occasion have women been excluded from the operation of a Suspension Act. Were we to judge by what has been said by hon. Members opposite, one would think that we were making a new demand in respect of this matter. The question now before us is, whether this is a reasonable demand on the part of hon. Members opposite. It is our hope and wish that no women may come within the operation of this Bill. ["Oh, oh!"] The hon. Member for Cavan (Mr. Biggar) jeers at that remark—[MR. BIGGAR: Hear, hear!]—and he is proud of jeering at it. That is another specimen of his state of mind and temper. I hope, however, that the little I have to say will not be affected in any degree by the contagion he would spread. The question before us is whether the present demand involved by this Amendment is a reasonable one. That question must be determined by considering whether there is a possibility that crimes of the kind contemplated by the Bill may be committed by women. [*Cries of* "Suspicion!"] I repeat, crimes of the kind contemplated by the Bill. Unfortunately, we know that, even in the range of ordinary crime, there are instances from time to time in which women are implicated not only in what is called crime, but in atrocious crime. It may be apprehended—nay, if women are excluded from the operation of this Bill, it may be much more apprehended—that women will be used for the purposes of crime. They may be misled by many motives which may render them, although criminal, much less so than they are in the case of ordinary crime; but they may be misled, and so may become the tools and instruments of others for the furtherance of their guilty purposes. I will not travel into other countries; but recent history exhibits very many remarkable examples in highly civilized countries, having many points of affinity with Ireland, in which women, acting under the influence of public excitement, have associated themselves with the most destructive crimes. I trust that this power, which I earnestly hope we may never be called upon to exercise, but which we feel it would be folly and even guilt to part with, may be granted to us.

Mr. LALOR asked if they were to understand from the Prime Minister that the Government of this country felt itself unable to govern Ireland unless it was endowed with the power of imprisoning on suspicion the women and children of that country? Were they to expect that when they came home, and for so long as that law was the law of the land, they would find their wives and children dogged by informers from morning to night under the suspicions of that abominable Act? If that be so, and he, for one, saw his wife and children dogged by spies, he should feel it his duty to teach them a mode of protecting themselves against the insults of any man, no matter who he might be.

Mr. CALLAN said, that when the right hon. Gentleman the Prime Minister rose to repeat to the Committee the question before it he had hopes that he was about gracefully to accede to the proposal that had been made. He wished to recall to the Committee the grounds stated by the right hon. Gentleman the Chief Secretary for Ireland for the Bill when he introduced it. He well remembered the manner in which the right hon. Gentleman said—"We know the criminals, and we will strike terror into them." Was it the women that he intended to strike terror into? He must say that he had expected that, when the proposal came forward, many of the serried ranks opposite would have risen one after another to defend the rights of the women. He looked along the Treasury Bench for the Under Secretary of State for the Home Department (Mr. Courtney). He had remained silent upon that matter. He looked for his successor below the Gangway, the hon. and learned Member for Stockport (Mr. Hopwood); he had also remained silent. From the Conservative ranks a respectful hearing had been accorded to them; but that was not so with the red-hot Radicals, who remained true to the instincts of their great champion, Oliver Cromwell. He was surprised that no voice had been raised from among those hon. Members in favour of the exclusion of women from the operation of the Act.

Sir JOSEPH M'KENNA thought that no true Irish Representative would allow that clause to pass without protesting against its remaining in its present form. He believed, however, that the law which would empower the Government to lock up women on suspicion would not be acted upon. ["Oh, oh!"] He must beg to be allowed to express his opinion. He thought, notwithstanding that admission, that power would be held over the people *in terrorem*, and that unfortunate men would be kept in prison, not knowing whether vengeance would not be wreaked upon their families. Who would be accountable for the administration of law in the different localities? Were those representatives of authority men who were infallible and above reproach? If not, such men would be able to exercise terror over the families of a whole district. It was absurd to suppose that women would become mixed up to any great extent in agrarian outrage. On the other hand, they would act as a check upon those who might otherwise be engaged in those outrages. If women were included under the Act it would make the Act more odious than it already was. The question was, was it any good for the Government to insist on this and incur the odium of wishing for the power to imprison women on suspicion? He maintained that it was not. There was not one of them who was a more steadfast supporter of the Party opposite than the hon. Baronet the Member for King's County, yet that hon. Member (Sir Patrick O'Brien) had not hesitated to risk his popularity with the Liberal Party by supporting the Amendment. The hon. Baronet was too honest a man, and too patriotic, whilst a friend of the Government, not to warn them that the Bill would be one of the most odious measures ever passed for Ireland if, after the notice the Government had received from the Irish Members, it were carried in its present shape. It was all very well for the right hon. Gentleman to say that no such exemption as that proposed had been embodied in any previous Act. He could not verify this from his own knowledge; but, if it were so, it was probably because exception was not taken; for it must be remembered that such a state of opinion had never before existed in Ireland. The country was now alive and wide awake. When other Acts were passed there were not so many penny papers going all over the country every morning as there were now. He had sympathy with some of the objects of the Government; therefore, it was only with the desire that the feeling against the Government in Ireland should not be intensified that he urged them not to pass the Bill without this Amendment. His motive was altogether apart from any special sympathy with any class of disturbers. [" Divide, divide!"] Seeing the temper of the Committee, he did not expect that the Amendment would be carried; but he trusted the Government would consider it, and listen to the words of the hon. Member for King's County, who, although returned for an Irish constituency, was one of their most steadfast supporters.

Question put.

The Committee *divided* :—Ayes 49; Noes 230: Majority 181.—(Div. List, No. 59.)

MR. DAWSON rose to move an Amendment, of which he had given Notice, when——

THE CHAIRMAN: The hon. Member's Amendment is for the purpose of exempting clergymen from the operation of this Bill; but as the Committee has decided not to limit the definition of the word "person," and as I have to decide that a clergyman is a person, the Amendment cannot be put.

MR. DAWSON: When I gave you the Amendment, Sir, I asked you most distinctly whether it could be put, and you said it could.

THE CHAIRMAN: The hon. Member gave me the Amendment, and asked whether it could be put at the end of sub-section 3. I said an Amendment could be put in that place; but I had not considered the effect of the proposal when I indicated its proper place in the Bill. It is impossible for the Chairman, when numerous manuscript Amendments are handed in, at once to see their bearing on other portions of the Bill.

MR. DAWSON: I read the Amendment over to you.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Leamy.*)

MR. W. E. FORSTER: I hope the Committee will not consent to this Motion. We have nearly reached the end of the 2nd clause.

MR. PARNELL hoped the Government would see the reasonableness of the proposal to report Progress. There was every reason to believe that they would be able to get through the rest of the Amendments on Monday, so that there was really nothing to be gained by going on at that late hour. By now reporting Progress, hon. Members would have an opportunity of fairly putting their Amendments before the Committee.

MR. GRAY said, as there was only one Amendment remaining in the clause, was he to understand from the Chief Secretary for Ireland that directly that Amendment was disposed of, Progress would be reported?

MR. R. N. FOWLER hoped the Government would go on and get through the Bill in Committee that night. The Report should be taken on Monday.

MR. HEALY said, that considering the way in which Irish Members had been listened to up to this—bearing in mind the interruptions to which they had been subjected at 8 o'clock, at 9 o'clock, at 10 o'clock——

THE CHAIRMAN: The Question is simply one of Progress.

MR. HEALY thought he would be able to show the relevancy of his observations. If, at these hours, they had been unable to get the attention of the Committee, how much less were they likely to obtain it at half-past 1 in the morning? [*Cries of* "Divide, divide!"]

THE CHAIRMAN: Am I to understand that the hon. Member has concluded his observations?

MR. HEALY said, he was waiting until he could get the attention of the Committee. If hon. Members persisted in interrupting him, that was another reason why they should insist on Progress being reported. He would ask his hon. Friends to go to a division, and if defeated, to go to another, then to another, and to keep on dividing.

SIR JOSEPH M'KENNA wished to know whether it was understood that

Progress would be reported after the passing of the 2nd clause. If it were understood, he would ask his hon. Friend (Mr. Leamy) to withdraw his Motion for reporting Progress.

Mr. CALLAN would make an appeal to the Leader of the House (the Marquess of Hartington), who had just come in in a calmer mood than his Colleagues. Surely the Motion was a reasonable one at half-past 1 o'clock. If it were acceded to, he believed they would meet on Monday, at 4 o'clock, in a mood calculated to facilitate Business. In the present temper of the House it would only result in endless divisions if the Government insisted upon opposing the Motion.

Mr. LEAMY: I would ask leave to withdraw the Motion.

Motion, by leave, *withdrawn.*

Mr. LEAMY said, he rose to move an Amendment to the effect that no arrests should take place under the Bill between the hours of sunset and sunrise. [*Laughter.*] Hon. Members opposite evidently saw something ludicrous in the Amendment; but he trusted they would give him some attention, seeing that, to suit the convenience of the Committee, he had withdrawn his proposal for reporting Progress. He hoped the Chief Secretary for Ireland would be able to see his way to accepting the Amendment, the object of which was to prevent people from being taken out of their beds and arrested at night. The right hon. Gentleman had said that he knew the persons he intended to arrest, so that there would be no difficulty in carrying out the Act, if the Amendment were inserted.

Amendment proposed,

At the end of the Clause, to add the words "No person shall be arrested under this Act between the hours of sunset and sunrise."—(*Mr. Leamy.*)

Question proposed, "That those words be there added.

Mr. W. E. FORSTER: In considering this Amendment the Committee really must bear in mind the object of the Bill. Its object—its justification—is the prevention of offences which render life in parts of Ireland almost intolerable. It is believed by the Government, and a large majority of the House, to be essential, in order to prevent these outrages, that power should be taken to arrest certain persons who may be reasonably suspected of committing them, or inciting to their commission. If the hon. Member's Amendment is accepted, in all probability it would be exceedingly difficult to catch hold of these persons; in fact, the Amendment seems to me to answer itself. It would be impossible for us to urge the acceptance of such a Bill as this, and then stultify ourselves by accepting an Amendment that would prevent us from putting its powers into operation.

Mr. GRAY asked the Committee to look at the position in which the Government had put them through the speech of the right hon. Gentleman. From that statement, coupled with his refusal to accept the previous Amendment, it was evident he meant to obtain power to drag women from their beds at night. [*Laughter.*] That seemed to commend itself to the Committee as a very admirable thing to do. If the right hon. Gentleman wished the arbitrary powers of the Bill to enable him to punish persons discovered in the commission of crime at night, he could quite understand his refusing the Amendment, because a great deal of the crime the Government wished to suppress was committed at night. But the Chief Secretary had not expressed himself anxious to catch persons red-handed. He had said—"These criminals are known to the police," and he had asserted again and again that nothing would please him better than for them to run away. Well, if these people were known to the police, as they were going about their business day and night, they could be arrested in the morning, the afternoon, or evening. The right hon. Gentleman said he was going to arrest for crimes already committed, and that was what he called prevention. He (Mr. Gray) was not going to discuss this question now; but surely there could be no necessity to drag people from their beds at night, invading domestic privacy; and surely the Committee would not allow that to be done, unless some better reason than had been advanced were given for it. Most of the persons who would be affected by the Bill were very poor; an entire family might live in one room, and, if the Bill passed in its present shape, the police would have power to go into that single room, in which father and mother, sister and brother were sleeping, and drag away the person they wanted. If the right hon. Gentleman could show that there were no reasonable means of apprehending these criminals, except under such a power as that now sought, the Committee would be justified in giving him the power. But he had not attempted to show anything of the kind. Did the right hon. Gentleman imagine that the persons he wished to arrest would hide in the mountains during the day time, and only come home at night if the Amendment were adopted? It was idle to suppose such a thing now-a-days. A hundred years ago it might have been done; but now there were no hiding places; and he held it to be the duty of Irish Members to protect the domestic privacy of the poorer classes of Irishmen, which were just as dear to those persons as to the better classes of Englishmen, and probably more so. He would not enter into details; but it was a fact that Irishmen respected domestic privacy a great deal more than Englishmen did. Let each Member of the Committee consider the case as though it were his own. They might, perhaps, strike greater terror into the people if they gave the police power to go in the middle of the night and suddenly arrest a person in his house; but would they really gain anything by that—by intensifying the bitter feeling with which Government and Parliament would be regarded? It was not very much use discussing questions at this hour of the morning; but he would put it to the Government whether a slight concession of this kind would injure the Bill? It would certainly save them from some of the horrors which had been perpetrated in Ireland in former years under Acts of this sort.

Mr. DILLON said he would only say, in addition to what had fallen from the hon. Member for Carlow, that, as was well known all over Ireland, it was the custom of the police to arrest a man in the middle of the night. There was not the slightest reason for it; but it was done under the pretence of anticipated attempt at rescue. Only within the last month midnight arrests had taken place. Bitter complaints had reached the Irish Members that on the most trivial charges men had been arrested at night and taken before the magistrates. No doubt this mode of arrest greatly aggravated its dignity and suffering—the dragging of a person out of his bed, perhaps in the middle of an inclement night, to a police barrack. He believed that most of the arrests would be made under cover of night, and that they would be so made by the direction of the magistrates for the purpose of inflicting additional indignity and suffering on the men arrested. The only plea put forward by the Government against this Amendment, which was a perfectly serious one—and he was considering the case not of women, but of men whom he supposed would be mostly dealt with under the Bill—was that it might not be possible to catch the men in the day time. There was not a shadow of foundation for such a fear. As the hon. Member for Carlow (Mr. Gray) had said, it was well known to every man in Ireland that there were no places now where men could fly to and remain in hiding during the day. There were plenty of police in the country—more than enough—to enforce the provisions of the Act, even if amended as proposed; and any man who desired to fly away would hide both night and day, and even then would be run down before he had been long in hiding by the trackers of the Government and the police. It was well known that the police highly valued the power of breaking into houses at night and dragging men out of their beds; and he, for one, protested against the indignity, and trusted his hon. Friend would go to a division on the Amendment.

Mr. T. D. SULLIVAN rose to offer, in connection with this Amendment, a suggestion which he thought would probably be accepted by both the Government and hon. Members on that (the Opposition) side of the House. The Amendment proposed that no arrests should take place between sunset and sunrise, and the modification he would suggest would be that men should not be arrested in their houses within those hours. The Government might fairly argue that persons who were engaged in the commission of crime were likely to be discovered in its commission during the night. There was some show of reason in that argument; but when these persons were at home they could not be engaged in the commission of the crimes suspected; and if this argument was found good in the case of a man, it was still better in the case of a woman. [*Laughter.*] He felt some difficulty in dealing with this subject at all, met, as they continually were in referring to it, by the delicate and virtuous laughter of hon. Gentlemen opposite. Nothing touching the virtue of women could be said by the Irish Members without eliciting the loud guffaw of gay Gentlemen opposite. This question was one that the Irish Members felt intensely, and they were determined to show their feeling by defending the rights of their countrywomen, as well as their countrymen, on the floor of this House. Was it an unreasonable thing to say—"We do not exempt men out-of-doors during these hours; but we say that those who are in their own houses amongst their own families cannot be engaged in the commission of the crime of outrage, and they ought to be exempted."

Mr. A. M. SULLIVAN asked whether he was to understand that the Government objected to this proposed Amendment, simply that they might be free to arrest men, women, and children, and drag them out of their houses at night? The proposed alteration in the Amendment would not interfere with the arrest of persons engaged in the commission of outrage; but simply narrowed the question down to this—whether power should be given to the police to drag men, women, and children, out of their beds on suspicion. There was some reason in the objection—"Why should you tie our hands against the arrest of a marauder abroad in the dark for the purpose of committing crime?" In the face, however, of the reasonable suggestion just thrown out for the modification of the Amendment, no Member of the Government had risen. He felt it very hard to avoid speaking words which, he was sure, the Committee would not like to hear, because the Government had put it to them as nakedly as this—that the power they desired was that of breaking into a peasant's home and dragging a family out of their beds. ["Oh, oh!" *and laughter.*] There were many Members of the Committee whose indulgence and patience was praiseworthy; but the levity of others was disgraceful. When the subject of dragging women from their beds had been referred to, there had been a spirit exhibited by some hon. Members opposed to all delicacy. Some hon. Gentlemen might indulge in *double entendre*; but the Irish Members did not wish to share their laughter with them, which befitted another place in this City, and not the House of Commons. The Irish Members would defend the invasion of the privacy of their homes, and the insult sought to be put on the women of their country, and would not be deterred by the scoffing laughter of hon. Members, who could speak and think of women as they treated them. Would the Government accept the Amendment as it was now sought to frame it, or were they determined to drive the Irish Members into the belief that they wanted to break into the homes of the people and drag them out of bed. These things had happened in Ireland, and not a century ago; they had happened within the past 12 years. He would tell the Government this—that if they wished to light the fire of civil war in Ireland, and if the Chief Secretary wished to aid and abet the Fenian conspiracy, they and he could not possibly take a course more calculated to inflame the breast of every Irishman worthy of the name of a man than that they were now adopting. When the news of this discussion reached Ireland, and it was told there that mocking laughter and jeering sneers—with what intent in the minds of those who scoffed he would not say—greeted the idea of women being dragged out of bed and put in prison—[*A laugh.*] He could take the measure of that laugh. They knew the habits of the hon. Member who laughed.

The CHAIRMAN: The hon. and learned Member for Meath is making personal remarks which are improper, and out of Order.

Mr. A. M. SULLIVAN resumed, amid cries of "Withdraw!" He withdrew nothing. He contended that it was perfectly Parliamentary—and until he was ruled out of Order, he would maintain it—to say that hon. Members on that side of the House knew the habits of hon. Gentlemen on the other side. Their own pure minds ought to suggest to hon. Members opposite a pure explanation. ["Question!"] He believed that he was speaking to the Question when he referred to the effect of the refusal of this Amendment in Ireland. If he knew anything of the people of Ireland, there could be nothing more mischievous, nothing more provocative of bad feeling, nothing more calculated to drive them into secret conspiracies than the want of a delicacy of common feeling in dealing with the homes of the people after they had retired to rest at night. He wanted to know if any Member of Her Majesty's Government who had not spoken on this subject would get up and address the Committee upon it. He wanted the Government to note how many Irish Members would follow them into the Lobby in this division. And why? Because he wished them to ask themselves whether they should legislate in a matter like this without the slightest regard to the voice of the Irish Members. Could the Committee imagine that they were travelling in the right road, when they could not induce half-a-dozen Irish Members to follow the Government into the Lobby? Was it not apparent that they were committing an error in the policy and principle upon which they were acting, when it was found that out of 103 Irish Members they could not get six to go into the Lobby with them? It was manifest that they were about to perpetrate an outrage upon the Irish people which even some of their own followers on the other side of the House condemned. He adhered to his own view, notwithstanding a temporary misconception on the part of some hon. Members. ["Question!"] This was one of the considerations——

MR. R. N. FOWLER: I rise to Order. I wish to ask you, Sir, if the hon. and learned Member is not repeating himself, and if he is not tiring the patience of the Committee? The questions he is calling attention to are altogether irrelevant, and they have been continually repeated by him.

THE CHAIRMAN: Certainly, the hon. and learned Member for Meath has repeated the same argument several times, and he must be aware that he is discussing the Question at great and unnecessary length.

MR. A. M. SULLIVAN said, he had heard a speech delivered that night from the Treasury Bench which occupied 25 minutes. He promised that he would not occupy anything like that time. What he contended was, that the Government, in rejecting this Amendment, ought to have pointed out to them the evils and dangers before them in Ireland. The proof of this could easily be tested when they found that out of the entire number of Irish Representatives not half-a-dozen would follow them into the Lobby.

THE CHAIRMAN: The hon. and learned Member has repeated that argument for the fourth time.

MR. A. M. SULLIVAN said, he would at once desist from repeating it, or in pressing it further in any shape upon the Government; and he would only address the Irish Members who were about to vote against the Government. He adjured them, by going into the Lobby and supporting this Amendment, to do their duty towards the people who sent them there, and to protect the interests, the honour, and, if necessary, the lives of their constituents.

MR. HEALY remarked that they had heard from the Government that this was a Bill intended only to protect life and property, and not to punish suspected offenders with vindictiveness. What was the necessity, then, if they only wanted to arrest these persons, that they should select the dead hour of the night for executing the warrant. There were plenty of opportunities for effecting these arrests. The persons to be arrested were known to the police, and the right hon. Gentleman the Chief Secretary for Ireland boasted that he knew them himself. He would therefore ask the right hon. Gentleman, if he had those delicate and humane feelings, with which he had been so often credited, to accept the Amendment, and do something towards smoothing the path of the Bill.

Question put.

The Committee *divided:*—Ayes 35; Noes 172: Majority 137.—(Div. List, No. 60.)

Motion made, and Question put, "That the Clause, as amended, stand part of the Bill."

The Committee *divided:*—Ayes 172; Noes 34: Majority 138.—(Div. List, No. 61.)

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. W. E. Forster.*)

Motion *agreed to.*

Committee report Progress; to sit again upon *Monday* next.

MOTIONS.

POOR REMOVAL (IRELAND) BILL.

LEAVE. FIRST READING.

MR. ARTHUR O'CONNOR asked the hon. Baronet the Member for Coleraine to state whether the provisions of this Bill were, that the Irish paupers in question should be returned after a residence of five years in this country. If that was intended, he should certainly be compelled to oppose the introduction of the Bill.

MR. CALLAN said, he should be reluctantly compelled to oppose the Bill at that stage, unless the hon. Baronet gave the desired information.

SIR HERVEY BRUCE pointed out that the Bill was simply an instalment of justice to Ireland, and provided that paupers should not be returned to Ireland if they had been in England five years.

Bill to regulate the Removal of Poor Persons, *ordered* to be brought in by Sir HERVEY BRUCE, Mr. CORRY, and Mr. LEWIS.

Bill *presented,* and read the first time. [Bill 89.]

PARLIAMENT—BUSINESS OF THE HOUSE (URGENCY).

MR. SPEAKER addressed the House as follows: — Having considered the Questions addressed to me this afternoon, and other suggestions which have reached me, I have framed a new Rule relating to the Proceedings in Committee, and on the Consideration of a Bill, as amended, in lieu of the Rules laid upon the Table yesterday. This Rule has the same object in view, but is framed in a manner which I trust will meet the general views of the House, in regard to the passing of urgent measures.

BUSINESS OF THE HOUSE. (URGENCY.)
18th February, 1881.

ADDITIONAL RULE FRAMED BY MR. SPEAKER FOR THE REGULATION OF THE BUSINESS OF THE HOUSE, WHILE THE STATE OF PUBLIC BUSINESS IS URGENT, IN LIEU OF THE RULES LAID UPON THE TABLE ON THE 17TH FEBRUARY.

Proceedings in Committee, and on Consideration of Bill, as Amended.

That on a Motion being made, after Notice, by a Minister of the Crown, that in Committee upon any Bill, declared urgent, or upon the Consideration of any such Bill, as amended, the remaining Clauses of the Bill, and any Amendments and New Clauses then standing upon the Notice Paper shall, on and after a certain day and hour, be put forthwith; the Question thereupon shall be forthwith put from the Chair, but shall not be resolved in the affirmative, unless voted by a majority of Three to One.

Ordered, That the Rule be printed. [No. 73.]

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL.

COMMITTEE. NOTICE OF MOTION.

THE MARQUESS OF HARTINGTON: Sir, I give Notice, on behalf of my right hon. Friend the First Lord of the Treasury, that he will move on Monday, at half-past 4 o'clock, that if the Committee on the Protection of Person and Property (Ireland) Bill be not concluded at 12 o'clock, the remaining Clauses and any Amendments and new Clauses shall be put forthwith.

MR. MONK wished to ask Mr. Speaker whether the Clauses and Amendments would be taken together or separately?

MR. CALLAN asked whether it was competent to hon. Members, at the commencement of the Sitting on Monday, to hand to the Clerk at the Table such Clauses or Amendments as might be deemed necessary, so that, in consequence of the Motion, hon. Members might not be precluded from the right they formerly possessed?

MR. SPEAKER: If any Notices of Amendments are brought up to the Table they will be taken as usual; but hon. Members cannot bring up new Clauses on Monday, when they will be too late, Notice of new Clauses being required.

LOCAL GOVERNMENT PROVISIONAL ORDERS (GODALMING, &C.) BILL.

On Motion of Mr. HIBBERT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the borough of Godalming, the Improvement Act District of Lytham, and the borough of Stratford-upon-Avon, *ordered* to be brought in by Mr. HIBBERT and Mr. DODSON.

Bill *presented,* and read the first time. [Bill 88.]

House adjourned at half after Two o'clock till Monday next.

HOUSE OF LORDS,

Monday, 21*st February*, 1881.

MINUTES.]—*Sat First in Parliament*—The Lord Wigan (Earl of Crawford and Balcarres), after the death of his father; The Lord Ormathwaite, after the death of his father.

SOUTH AFRICA—THE TRANSVAAL—PROCLAMATION OF THE DUTCH TRIUMVIRATE.

QUESTION. MOTION FOR PAPERS.

Earl CADOGAN said, he wished to put a Question to the Secretary of State for the Colonies of which he had given him private Notice, as to a reference made in *The Times* of that morning concerning the negotiations that had been carried on lately between Her Majesty's Government and the leaders of the Boers. *The Times* said—

> "The facts of the case we believe to be as follows:—Through President Brand, of the Orange Free State, the Provisional Government of the Boers made overtures to Sir George Colley. These were somewhat ambiguous in their language, but seemingly to the effect that the British troops should evacuate the Transvaal, and that commissioners should be appointed to settle its future relations with us. To this Sir George Colley has replied, under instructions from home, that if the garrisons in the Transvaal are left unmolested and allowed freely to obtain supplies, and if hostile operations against us are at once suspended by the Boers, we will agree to appoint commissioners. The result, if any, of this communication we have yet to learn. To Sir George Colley's message no final answer has been received."

Last Tuesday he (Earl Cadogan) put a Question to Her Majesty's Government as to the position of affairs at the beginning of last week, and was informed that overtures for peace were carried on through the intervention of President Brand which met with the support of the people of this country up to the 28th January, when the disaster took place at Laing's Neck which had not yet been retrieved. He wished to know whether the article he had quoted was correct, and whether negotiations were still going on?

The Earl of KIMBERLEY: My answer to my noble Friend is that Her Majesty's Government have taken such steps as seemed to them best calculated to promote a satisfactory settlement and to spare the effusion of blood consistently with the honour of the British Crown; but it would not be for the public advantage to enter at the present moment upon details. I may, however, add that a communication from the Boers has been received through President Brand.

Lord BRABOURNE, in rising to call the attention of the Government to a proclamation recently published by the Dutch Triumvirate in the Transvaal, purporting to give an historical retrospect of events connected with the annexation of the Transvaal and previous thereto, and justifying the rising of the Boers against Her Majesty's authority, said, he should not venture to bring the subject of the Transvaal before their Lordships unless he had a special reason and a definite object. That reason and object he would endeavour to set forth with precision and brevity, and he humbly asked their Lordships' indulgence while he performed the task. Ever since the first news of a rising in the Transvaal reached this country, all Englishmen worthy of the name had been agreed upon one point—namely, that before any possible change in our future policy in those regions could be even thought of, Her Majesty's authority must be completely vindicated and re-established; and if he thought for one moment that such a result could be at all retarded or in the smallest degree prejudiced by a debate in their Lordships' House, certainly he would not have opened his mouth on the subject. That, however, was not the case; and if there was any danger to be apprehended he thought it was of a different kind. From the first moment of the present rising there had been a Party in this country who had earnestly and vehemently contended that, whatever might be the necessity of vindicating Her Majesty's authority at the moment, yet the Boers were to be regarded as having a great excuse for their action; that their country was wrongfully annexed three years ago; and that upon the first possible opportunity we ought to restore to those men the independence of which they had been unjustly deprived. Even upon that very evening a meeting was about to be held in favour of "the independence" of the Boers; and only on Saturday he had seen the report of an address for the same object presented to the Prime Minister, and purporting to come from 600 representative working men. Those who took that view, in public speeches and in the Press, were chiefly, if not exclusively, friends and supporters of Her Majesty's Government. There was much that was plausible in their arguments, and those arguments had received additional weight from sympathetic expressions of opinion which had lately reached us from Holland and Germany. The danger which he apprehended was this—that unless the opposite side of the question was put fully and fairly before Parliament and the country, Her Majesty's Ministers might be led to believe that there was a consensus, or, at all events, a preponderance of public opinion in favour of abandoning the Transvaal to the Boers; and so, if that rising should suddenly collapse, they might find one morning that Government had come to a resolution in favour of abandonment which it might be difficult to alter. Therefore he was most anxious that the case on both sides should be before the public; and it was with this intention, and not with either the desire or expectation of drawing from Her Majesty's Ministers a premature declaration of policy, that he ventured to address their Lordships. It was an invidious thing for an Englishman to argue, or to appear to argue, against the freedom and independence of another people. We were ourselves a free people; we enjoyed, indeed, all the advantages of Republican freedom without the disadvantages which accompanied that form of government; and when appeals were made to us in the name of freedom, and we were told by a great statesman, in eloquent language, that we, "the free subjects of a Monarchy, had coerced the free subjects of a Republic," a sentiment of shame arose within us, our feelings of generosity were at once touched, and our natural inclination was to retrace any steps which had led us into so false a position. But the counter case which he had to present to their Lordships was not one which had to be supported by rhetorical alliterations or appeals to sentiment. It was a case founded upon hard, dry facts, upon official documents and historical data; and upon such he asked their Lordships and the country to give a calm and impartial verdict. Let it be understood that he spoke with no bias against those whom they called the Dutch Boers. Many of those men were really descended from the old French Huguenots, with whom he (Lord Brabourne) claimed no distant affinity, and he was very ready to recognize all that was good in their character. They were a people of sturdy independence, of indomitable energy and perseverance, of much endurance, and of great courage; and he earnestly wished that, instead of being arrayed against Englishmen, as a portion of them were at present, they could be associated with us, hand-in-hand and side-by-side, working out for South Africa a future of prosperity and content. But he held in his hand the recent Proclamations of the Dutch Triumvirate, which declared their own conception of their present position; and although to persons of imaginative minds, and to those who were not accustomed to carefully collect facts and to weigh evidence, the document was not without its attractions, he felt bound to protest in the name of truth and of justice against much that was inconsistent both with one and the other. Let him epitomize that document in a few words. The Boers said that the Convention of 1852 gave them their independence; they said further—

> "Never has any provision of this Convention been violated, whereby even the pretence of right has been given to England to withdraw from its obligations;" that "the most amicable relations have since that time existed between Her Majesty's Government and the Republic;" and that "Sir Theophilus Shepstone abused a special power granted to him under entirely different circumstances,"

when he proclaimed British sovereignty over the Transvaal. Now, if they accepted these statements, and if they were to believe one-half of what had been said and written by those who sympathized with the Boers in this country, they must conclude that Great Britain had from first to last been guilty of a cruel and inexcusable persecution of these people; that she had pitilessly followed them in order to inflict her yoke upon them; that no sooner had she made a Treaty with them than she began to violate its provisions; that she had made false accusations against them as regards slavery; had stirred up the Native Tribes to attack them, and had concluded a long course of flagrant injustice by arbitrarily annexing their country without the slightest justification. To these conclusions he respectfully demurred, and submitted that the true reading of history was entirely different. There could be no doubt whatever that the reason of the Boers "trekking" from the Cape in 1835 was the abolition of slavery in British Colonies. It had been often denied; but the facts went far to prove it. At the time of that measure there were more than 35,000 slaves in Cape Colony, valued at £1,200,000. The emancipation was effected without due care that the compensation reached the hands of those who lost their property; and the Boers quitted the English Colony partly, no doubt, because of their love of independence, still more, no doubt, because they disliked the taxation borne by British Colonists, but mainly because they honestly considered that they had been badly treated by having their slaves taken away from them, and because they wished to maintain that institution of slavery, which they believed to be one of Divine origin, and to be the proper relation between the White man and the Black. It was unnecessary to weary their Lordships with a recital of the events which occurred between 1835 and 1852. According to the Boers, the iron hand of England followed them everywhere, they wandered about in the wilderness and found no city to dwell in, until the Convention of 1852 gave them their independence. It was an interesting history; but the question as to the right of Great Britain to claim, as she did, that the allegiance of those who had once been her subjects was inalienable was one which, although it admitted of argument, need not be argued to-day, since it was incontestable that she waived her claim to that allegiance in the provisions of that Sand River Convention of 1852 which had become so famous. That which he desired to maintain to-day was, first, that the Boers themselves, by flagrant and frequent violations of the Sand River Convention, had entirely discharged England from her obligations; and, secondly, that the Transvaal was in such a state in 1877, owing to the misgovernment of the Boers, or rather their failure to govern at all, that nothing but British intervention and the proclamation of British sovereignty saved it from becoming, in all probability, the theatre of terrible and bloody warfare. Much controversy had arisen on the question whether the Boers had been guilty of slavery or not. That accusation had been strenuously denied by the Boers. But he ventured to put this point to their Lordships—If the Boers were free from any taint or suspicion of slavery, how were they to account for that 4th provision of the Convention which ran thus?—

> "It is agreed that no slavery is or shall be permitted or practised in the country to the north of the Vaal by the emigrant farmers."

That provision could only be explained in one way—namely, that the British Government was well aware of the practice and propensity of the Boers; that they knew the dangers which would certainly spring therefrom; and, therefore, only permitted their independence upon the condition that these practices should be abandoned. As to the manner in which they had kept this provision, and as to the slavery practised by them, he should be obliged to weary their Lordships by reading several extracts from the Blue Books presented to Parliament during the last few years, for the charge was strenuously denied, and it was most necessary to sift and consider the evidence. And, first, let him cite the evidence of Dr. Livingstone. Dr. Livingstone wrote to Sir John Pakington in December, 1852, concerning a tribe on the Limpopo River, among whom he had successfully laboured for eight years. He said—

> "No portion of the country belonged to the Boers, but they made frequent attempts to induce the Chief Sechele to prevent the English from passing him in their way north, and because he refused to comply with this policy a commando was sent against him by Mr. Pretorius, which on the 30th of September last attacked and destroyed his town, killed 60 of his people, and carried off upwards of 200 women and children. Of these many of the former will escape; but the latter are reduced to hopeless slavery. They are sold and bought as slaves, and I have myself seen and conversed with such, taken from other tribes, and living as slaves in the houses of the Boers. One of Sechele's children is among the number captured; and the Boer who owns him can, if necessary, be pointed out."

Now, the answers which were made to such accusations as this were curious enough. A gentleman, who was not unfavourably disposed towards the Boers, had only yesterday remarked to him (Lord Brabourne)—"They say that Dr. Livingstone was against them, because they sacked and burned his house." But what answer was it to the charge of slavery to admit that they had destroyed the house of an innocent man in a country where they had no right to be? In admitting that they had made a lawless raid they went half way to prove the whole charge. But he would not bring forward other Missionary evidence, further than to remark that there was a little book published by Tweedie in the Strand in 1871, containing three letters from Mr. Chesson, Secretary to the Aborigines Protection Society, to Mr. R. N. Fowler, then Member for Falmouth, and now for London. These letters contained much evidence from Missionaries, including the statements made to them by various Native women, narrating how their male relatives had been killed by the Boers, and themselves and their children carried off, and how they had been bought and sold as slaves, all proving the truth of the charge which was advanced. He would now take another class of evidence, and would quote from the Blue Book the report of the Special Correspondent of *The Cape Argus*, an independent paper, which said—

"The whole world may know it, for it is true, and investigation will only bring out the horrible details, that through the whole course of this Republic's existence it has acted in contravention of the Sand River Treaty, and slavery has occurred, not only here and there in isolated cases, but as an unbroken practice has been one of the peculiar institutions of the country, mixed up with all its social and political life. It has been at the root of most of its wars; it has been carried on regularly even in the times of peace."

Again, in 1868, the Duke of Buckingham, writing to Mr. Pretorius, warned him that—

"If the Boers continued to violate the Anti-Slavery Article Great Britain would hold herself discharged from her obligations under the Convention."

In 1875 Mr. Southey, Lieutenant Governor, writing from Kimberley, said that certain laws just passed by the Republic

"Establish practically a state of *quasi*-slavery in direct conflict with the stipulation of the Convention of 1852."

Writing in November, 1876, the Acting Secretary for Native Affairs in Natal said—

"Since the demonstration made by the forces of Secocoeni against Steelport Fort a party of Boers thought it necessary to attack a kraal of friendly Kaffirs by night, succeeding in shooting four men and capturing six women and 22 children. The women have been given to Kaffirs at Kruger's Post, and the children distributed among the Boers to serve an apprenticeship, otherwise slavery."

Then take the numerous complaints of Native Chiefs, which were scattered all through the Blue Books. He (Lord Brabourne) would only quote one. Khame, a Native Chief, thus wrote to Sir Henry Barkly in December, 1876—

"I write to you, Sir Henry, in order that your Queen may preserve for me my country, it being in her hands. The Boers are coming into it, and I do not like them: their actions are bad among us Black people. We are like money. They sell us and our children. I ask Her Majesty to pity me, and to hear that which I write quickly."

He had yet more weighty evidence—namely, these solemn Resolutions of the Legislature of Natal passed on the 10th of August, 1868, their object at the time being to protest against the continuance of the Office of Lord High Commissioner, as that functionary had not sufficient control to put down the practices in the Transvaal which were so dangerous to their neighbours. This is what they said—

"That ever since the annexation of the Orange River Sovereignty (since abandoned) in 1848, the emigrant farmers who settled over the Vaal River and formed a Government of their own, under the style of the South African Republic, have carried on a system of slavery under the guise of child-apprenticeship—such children being the result of raids carried on against Native Tribes, whose men are slaughtered, but whose children and property are seized, the one being enslaved and sold as 'apprentices,' the other being appropriated."

Then, after quoting what they term "clear and positive evidence" of special cases, given by trustworthy witnesses, they went on to say—

"That the existence of this system of slavery, attended as it is by indescribable atrocities and evils, is a notorious fact to all persons acquainted with the Transvaal Republic; that these so-called 'destitute children' are bought and sold under the denomination of 'black ivory;' that these evils were fully admitted by persons officially cognizant of them at a public meeting held in Potchefstroom in April, 1868; and that the whole subject has been brought fully under the notice of the High Commissioner."

Then, after quoting the reply of the High Commissioner, in which he said that—

"It would be beyond the power of the Transvaal Republic, admitting it to have the inclination, to put down a trade which the Boers must find to be very tempting and profitable," the Legislative Assembly go on to say that this trade is

> "A direct breach of the Treaty entered into with Her Majesty's Commissioners, is an outrage on humanity and civilization, and is an aggravation of the traffic which Her Majesty's Government has so long sought to suppress upon the East Coast."

The extracts which he (Lord Brabourne) had read were not one-twentieth part of those which could have been taken from the Blue Books in support of his case. Their Lordships would, therefore, see that the case with regard to the charge of slavery against the Transvaal Boers stood thus—that they, being interested parties, most strenuously denied it. They had denied it over and over again; but they had never disproved the facts brought against them. But, if their Lordships believed the disavowal of the Boers, they must disbelieve the Missionaries, the independent Press of South Africa, and a number of officials in the Colonies writing home despatches which they knew might be and would be scrutinized by the public eye. They must, also, disbelieve all the complaints of the Native Tribes, the solemn Resolutions of the Legislature of one of their Colonies, the opinion of a Colonial Minister, and that of an Under Secretary of the Colonies, speaking with full official information upon the subject. And not only must they disbelieve these, but they must be prepared to believe that the whole of these parties were for 25 years in a conspiracy to slander the Boers without any conceivable motive or reason why they should have formed such a conspiracy. The supposition was so monstrous that he had no doubt their Lordships would come to the conclusion that he had, after a careful examination of the Blue Books, shown that the charge of slavery was clearly proved against the Transvaal Boers. But it was not only by the practice of slavery that the Transvaal Boers virtually broke again and again the Convention of 1852. He heard people constantly talking about the Transvaal Government and the Transvaal country as if, in 1852, there had been recognized by Great Britain a regular Government with a defined country. This was, no doubt, the case with the Orange River Territory, which was abandoned in 1854. Let him (Lord Brabourne) here remark that he had always been of opinion that the abandonment of the Orange River Territory was one of the greatest mistakes ever committed by a British Government. But, having said this, let him also say that the Orange Free State—in which the White population was in a majority—had shown such a capacity for self-government, and had done so well, especially under its present excellent President, Mr. Brand, that so long as it showed itself able to maintain its neutral and independent position, not only would no Englishman grudge it its independence, but all would rejoice at its prosperity and progress. But the words of the Convention of the Orange Free State gave independence to "the country and its inhabitants." But in the case of the Transvaal, all that was done was to permit the Boers to govern themselves by their own laws, and, said the first Article, "it being understood that this system of non-interference is binding upon both parties." Now, what did the "system of non-interference" mean, read with the former part of the clause, which provided that "no encroachment should be made on the territory north of the Vaal" by the British Government? It could not have been expected that the emigrant farmers were likely to interfere with our Colonies by attacking them; but, reading between the lines of the Treaty, it was clearly meant that they should not follow a policy towards any of their neighbours which would interfere with the tranquillity of our Colonies. Well, at that time the Boers were divided into three separate bodies; they were at variance among themselves; and it was not until 1858 that any united government was attempted. The annexation took place early in 1877, so that this Republic, the attachment of its citizens to which was so much vaunted, actually had not endured 19 years, and its country consisted to a very large extent of other people's country, which it had taken from them. He did not wish to weary their Lordships with extracts from Blue Books; but he said that, without doubt, it was a practical violation of the Convention of 1852 when the Transvaal Republic so acted towards the Native Tribes on every side that complaints came continually to the British authorities, and that Great Britain was actually driven, over and over again, to protest against their conduct. He wanted their Lordships to consider for a moment whether or not the Boers could be fairly said to have observed the conditions of that Treaty. The whole Blue Book teemed with evidence against them as to their proceedings against the Native Tribes. At page 41 (Papers presented April, 1877), Lopenula, Chief of the Amantebele, complained that the Boers were settling in his country against his will; at page 47, the men of the Lesuto "are in difficulty with the Boers;" at page 65, Montsioa, Chief of the Baralongs, complained that the Boers are "trying to set aside Mr. Keate's award," Mr. Keate having in 1870 been chosen by both parties to settle the boundary, which he had done not altogether to the Boers' satisfaction. There were many other instances; but perhaps the two worst were those of the Amaswazi and Secocoeni. The first was brought to light in a curious way. Umbandeni, King of the Amaswazi, wrote to thank the Natal Government for having sent a Commando, under M. Rudolph, to repel a Zulu attack; but added, that he did not know why he had been asked to sign a renewal of his Treaty with Natal, as his friendship with Natal wanted no renewal. The Natal Government replied that they had sent no Commando —M. Rudolph had for four years ceased to be an officer of theirs, and had been employed by the Transvaal Government. This had not been disclosed to Umbandeni, and then it turned out that what they had got him to sign as a renewal of the Natal Treaty was a cession of his country to the Boers, which he had never intended, and which, of course, greatly irritated him. In Secocoeni's case, the Boers claimed to have purchased his country from his father, Sequate, in 1846, who had then ceased to be an owner of land. But it was shown that they had made a Treaty with him 11 years afterwards, which they would hardly have done if this had been his position, and their own maps showed his territory to have been outside their boundary in 1868. Thereupon the President of the Republic disavowed the maps, although it was proved that they had been made by two gentlemen, one of whom was Postmaster General of the Transvaal Republic at the time; they had been made from their own Surveyor General's surveys, and the two gentlemen who had made them had received for their trouble a grant of land from the Volksraad! These kind of things had been constantly going on when, at the close of 1876, Lord Carnarvon ordered an inquiry into the state of the Transvaal and the charges against the Boers. It was beyond dispute that a very bitter feeling had arisen on the subject at that time, and the evidence of anarchy, confusion, and danger was overwhelming. In September 1876, Mr. Osborn, resident magistrate at Newcastle, wrote—

> "This encroaching policy of the Transvaal Boers is fraught with danger to the peace of the whole of South Africa. The Natives, being constantly deprived of their territories, will, sooner or later, be induced to make common cause against the White man to save themselves from extermination for want of land."

Sir Henry Barkly had previously maintained that it would be better to leave the Transvaal affairs alone; but he had altered his opinion in July, and, on the 30th of October, he wrote to say that the then state of affairs in the Transvaal bordered upon anarchy, and that it was incumbent on the British Government to interfere, since—

> "Although in other parts of the Republic lawlessness and inhumanity were less rampantly exhibited, the machinery of Administration is everywhere all but paralyzed, and the Republic seems about to fall to pieces through its own weakness."

But he (Lord Brabourne) would call into the witness-box a witness who could not be suspected of hostility towards the Boer Republic. This was no less a personage than the President of the Republic himself, a few passages of whose speeches to the Volksraad in March, 1877, he (Lord Brabourne) would venture to quote. Speaking against Confederation, he pointed out the condition of the country as follows:—

> "Anarchy is a worse oppression than any foreign Power can be thought, and cannot be borne long by any nation. I tell you openly, matters are as bad as they can be; they cannot be worse. The people were as good as any other people; but they were completely demoralized—they had lost faith in God, reliance upon themselves, and trust in each other. They shamed by their conduct the very ideas which are the pride and glory of Republics. He could tell the Raad that within the last few years the Cape had been more of a Republic than the Transvaal. The Republic was the obstruction to their real independence. If the citizens of England had behaved towards the Crown as the burghers of this State had behaved to their Governments, England would never have stood so long as she had."

And with regard to England, the President said—

> "It is asked, what have they to do with our position? I tell you, as much as we have to do with that of our Kaffir neighbours. As little as we can allow barbarities among the Kaffirs on our borders, so little can they allow that in a State on their borders anarchy and rebellion should exist."

This was pretty good evidence as to the condition of the Transvaal, and as to its financial position he (Lord Brabourne) need only quote a Report of the Volksraad itself (Blue Book, c. 1776, page 108), which ran thus—

> "The Volksraad resolves, that whereas it appears from the Report of the Financial Commission that the taxes have not for the greater part been paid, and it has thus become impossible, under such circumstances, for the Government to carry on the administration and control of the country," &c., &c.

This was the state in which Sir Theophilus Shepstone found the Transvaal; and he had, moreover, to consider the state of the Native Tribes. The Boers now said that although Secocoeni had gained some successes, they had concluded a satisfactory peace with him before the annexation. This, however, did not appear to have been really the case, for although the Chief had consented to pay over 2,000 head of cattle, and not cross a certain boundary, he complained that he had been deceived and made to sign other conditions to which he had not agreed. He repudiated the Treaty, and, as subsequent events proved, having learned from the last fights to disbelieve in the superior prowess of the White man, was quite prepared to begin the conflict again. Moreover, Sir Theophilus Shepstone had the best reasons for believing that the Zulus, who hated the Dutch, and had long been restrained only by the influence of the Natal Government from attacking them, could not much longer be held back from doing so, which would, undoubtedly, have been the commencement of a fearful struggle. Now, he (Lord Brabourne) had heard with very great regret many disparaging remarks made about Sir Theophilus Shepstone; for there appeared to be some people in this country who never were so happy as when they were finding fault with what their country had done, and with the conduct of those officials who represented her, often under very trying circumstances, when they required, and had a right to expect, the support and sympathy of their countrymen at home. It had been charged against Sir Theophilus Shepstone that he had been actuated by the lust of ambition, and by the desire to extend the territories of this Empire; that he had behaved very badly, and that he had got us into all these difficulties. He did not mean to say that Sir Theophilus Shepstone had been perfectly correct in everything that he had done since he had arrived in the Transvaal; but perhaps there were few of their Lordships who could look back upon every action of their lives without feeling that they might have acted, in some respects, differently if they could have judged of such transaction by the light which had been thrown upon it by subsequent events. Her Gracious Majesty's Warrant to Sir Theophilus Shepstone ran as follows:—

> "Whereas grievous disturbances have broken out in the territories adjacent to our Colonies in South Africa, with war between the White inhabitants and the Native races, to the great peril of the peace and safety of our said Colonies."

It was said that Sir Theophilus Shepstone had exceeded his instructions. What he maintained, however, was that the conduct of Sir Theophilus Shepstone had been actuated by the highest and best possible motives, and that the mainspring of his action was not the desire to extend the territories of Great Britain beyond due limits, but to prevent a terrible war which he believed to be imminent. Who was Sir Theophilus Shepstone? Why, he was a most eminent public servant, who had held a great number of public appointments with credit to himself, and whose services in South Africa had been of the greatest advantage to his country; he was a man who, more than any other European, was acquainted with the wants and feelings of the Black races — by some of whom he was called their "Father," as a token of their confidence and respect; and he knew that the irritation on the part of the Natives against the Dutch was so great that it would be impossible for the Government of Natal much longer to prevent a war breaking out. Were he (Lord Brabourne) so disposed, he might quote from the Blue Books many instances of cruelty towards the Natives which were alleged, apparently upon good evidence, against the Boers; but he purposely forebore to do so, because he thought his case was strong enough without it, and he did not wish to excite horror or to create unnecessary irritation, hoping, as he did, that these people might soon settle down peacefully, and that, under British sovereignty, such things would never again be heard of. These, however, contributed to the irritation of the Native mind, and led to the state of things which justified British interference. Now, in the autumn of 1879 there was carried on what was popularly known as the Mid Lothian Campaign, in the course of which several eloquent speeches were made by the present Prime Minister, in one of which he deprecated any annexation of territories which added to our already extended Empire a territory which yielded us neither men nor money, whilst it increased our burdens and responsibilities. But the truth of such a proposition appeared so indisputable that he (Lord Brabourne) could not but think that the Prime Minister and those who thought with him should have given the late Government credit for some other motive for adopting the course they had done than the mere desire of adding additional territory to our Empire. There were several kinds of annexations. If a strong nation seized upon the territory of a weaker neighbour for the mere purpose of self-aggrandizement, there was no excuse for such conduct. If, after a contest between two great Powers, one annexed certain provinces of the other, the most that could be said was that, in all probability, the annexing Power was sowing the seeds of future warfare. Then it might happen that a weak State, conscious of its own feebleness, sought, voluntarily, to be incorporated with a stronger neighbour, to which no one could object. And, again, there might be a case in which the inherent weakness of a State and its internal anarchy made it such a danger to all its neighbours that its incorporation with another Power was desirable and necessary for the general security. This was emphatically the case with the Transvaal Republic; and, in his opinion, both Sir Theophilus Shepstone and Lord Carnarvon, in advocating the annexation of the Transvaal, had been actuated solely by the honest belief that it was necessary for the safety of our South African Colonies that such a step should be taken. It was not his business to defend Lord Carnarvon, who was perfectly able to defend himself, and who had plenty of friends to take his part; nevertheless, he felt bound to express his real opinion on this question. It had been said, and he was sorry to have heard the observation made, that those who sat on the Liberal Benches had only given a sort of half-consent to the annexation of the Transvaal, and that they were, therefore, now at liberty to protest against it. It was only right and just that he should say what was the real position of affairs. In 1877 there were only two Gentlemen upon the Front Opposition Bench in the House of Commons who had, in recent years, represented the Colonial Department under a Liberal Government—Mr. W. E. Forster and himself. He (Lord Brabourne) was not so presumptuous as to suppose that anything which he said or thought could have much influence with their Lordships; but he had never allowed, and would never allow, these great questions to be viewed by himself through the narrow vision of Party considerations, and he had most carefully studied the whole question. He came to the conclusion that the course proposed by Lord Carnarvon was the only one worthy of a British Minister to pursue, and that, had he been in the position of that noble Lord, or even had he occupied the post of Under Secretary to the present Minister of the Colonies, a similar line of conduct would certainly have been adopted. Therefore, he had no alternative but to give a loyal support to Lord Carnarvon's policy. And he felt bound to say more than this, that both before and after he (Lord Brabourne) spoke strongly in this sense on August 7, 1877, he had been in communication with his noble Friend the Earl of Kimberley, and had never the slightest reason to believe, down to the present moment, that there was any difference between them upon the subject. But what said Mr. W. E. Forster during the same Session?

> "He believed the annexation to have been an absolute necessity. He was convinced that if the annexation had not been effected there would have been utter anarchy in an enormous district; and that until it was made there was the greatest possible danger of a most bloody and destructive war. The White population of

the Transvaal were bringing on a most dangerous war, in which, in all probability, they would have been defeated and very nearly destroyed. Some might say that they ought to have been left to take the consequences. Practically, however, this country would not have suffered that result. It would have felt bound to come forward in their defence. For his part, he believed there had never been a more decided attempt to use words in order to hide facts, or rather to pervert facts, than that which had resulted in the protest framed in Holland against the annexation of the Transvaal."—[3 *Hansard*, ccxxxv. 1758-9.]

Several other speeches were delivered; but no Liberal Member opposed the measure except Mr. Courtney, save one or two of the Irish Home Rule Party, who, with an admirable consistency, being themselves always clamouring for freedom, supported those against whom one of the chief charges was their predilection for slavery, and making it their own chief complaint that the land of their country had been stolen from her people, stood up for those who had certainly been the greatest land robbers of modern times. But one speech was made by a Gentleman whom no one would think likely to coerce independence or restrain freedom. Mr. Joseph Cowen, Member for Newcastle, made an eloquent speech in favour of that which he said was not annexation but incorporation. He said that—

> "The Government of the Transvaal was in a hopeless state of insolvency. There was civil discord within its boundaries, and war, that threatened to be a war of extermination, without. The administration was not only in a state of confusion, but chaos. Though the name of a Republic had an attraction and a striking fascination for his mind, a Republic respected the rights of all. The Republicanism of the Transvaal was nominal—its despotism was real, and its despots were a multitude. What they wanted was not freedom from British control; but they desired to exercise 'the right divine of governing wrong;'"

and he said that—

> "Their feebleness endangered the position of the Cape Colonies and the safety of our fellow-citizens in that part of the world."

The speeches to which he had referred having been delivered, and the question having cropped up several times during the Session of 1877, without any Liberal statesman of position or eminence having said a word against the measure proposed, he must contend that their Lordships and the country had a right to consider that both political Parties in the State had indorsed the policy of the annexation of the Transvaal. As to the actual facts of the annexation, considering that Sir Theophilus Shepstone had only 25 policemen and 12 gentlemen with him, he could not suppose that it would have been allowed to take place if there had been any real feeling of opposition among the people immediately affected by it; and he questioned whether, if certain events had not occurred, the President's protest would not have ended that opposition. The protest, in fact, was quietly read in the market place. It was rather the act of one who, "vowing he would ne'er consent, consented," and was only a wrapping of the drapery around himself that he might fall with becoming dignity. It must not be forgotten that a large number of signatures were appended to addresses in favour of annexation to British rule; but now they were told either that Sir Theophilus Shepstone manufactured the addresses and signatures, or else that he had been deceived by signatures that were not authentic, and did not represent the feelings of any considerable number of persons in the Transvaal. This was, of course, a possible solution of the question; but there was also this other one—that when civil war, anarchy, bankruptcy, and a struggle with the Native Tribes seemed to stare them in the face, a very large number of people in the Transvaal desired annexation; but when those dangers had passed away their feelings underwent a great change, and especially when they found that under British rule they would have to pay taxes just as the other Colonists had to do. And, moreover, with regard to the willingness of the Boers to submit, it ought not to be forgotten that Lord Carnarvon, having had an interview with the Boer delegates, Dr. Jorissen and Mr. Paul Kruger, the latter being actually one of the Dutch Triumvirate who had issued this Proclamation, thus wrote in November, 1877 (c. 1961, p. 147)—

> "They were fully alive to the fact that considerations of policy rendered it impossible for my decision to be other than irrevocable. They further assured me of their determination to use their best endeavours to induce their fellow-countrymen to accept cheerfully the present state of things, and of their desire, should they be permitted to do so, to serve Her Majesty faithfully in any capacity for which they might be judged eligible!"

He (Lord Brabourne) greatly feared that some mischief had been caused to this question by public utterances in this country, and by the imperfect knowledge of the English language possessed by the Dutch Boers, which did not enable them to follow the different meanings in which the word "repudiate" might be employed. The annexation of the Transvaal having been publicly "repudiated" before the General Election, it was certain that the Boers felt disappointment when a change of Government was not followed by a reversal, by Her Majesty's present Advisers, of the policy of their Predecessors in this respect. There were two distinct and different ways in which the history of recent Transvaal events might be recorded. The Boer historian would relate how, when the Republic was in temporary difficulties, she was annexed by Great Britain, in spite of the protest of her Government. He would go on to say that for three weary years the citizens of the Republic appealed in vain to the justice of the British people, and that it was not until every other means had been exhausted that they resolved to enter upon a struggle—the noblest which could engage the energies of man—a struggle for freedom. The same history would be written by another, and he thought a more truthful, pen. It might be told that at a time when, by the confession of her own Chief, the Republic, through its own inherent weakness and the bad conduct of its own people, was at its last gasp, and when what remained to it of existence was threatened on every side by savage foes, then the intervention of Great Britain occurred; and that intervention alone saved the inhabitants of the Transvaal from a terrible war of races—a war which must have been carried on with frightful slaughter on both sides, and would, not improbably, have resulted in the annihilation of the White Settlers beyond the Vaal. And the historian might thus continue—that after they had been saved by British interposition, the Transvaal Boers first of all stood sullenly by and refused to aid the British in that Zulu War which entirely originated in the previous policy of their own Republic towards the Natives, and that then, when the danger was over, when British troops had overcome and captured the Chief Secocoeni, when British blood had been poured out like water, and British treasure had been lavished in order to break down the power of the Zulus and to depose their great King Cetewayo—then, when the country was tranquillized, and there seemed nothing to fear from the Natives, those men turned upon their benefactors, ambushed and shot down the soldiers of the nation which had saved them from destruction, and in the sacred names of independence and patriotism invoked the public opinion of Europe in approval of an act of ingratitude so flagrant as scarcely to find a parallel in the history of the world. And he (Lord Brabourne) grieved to say that by the same historian another chapter might be added—namely, to tell that at the very moment when British soldiers were being thus slain, there were found men in England to justify the slayers—to go out upon the platform and in the Press, to traduce the policy of their own country, and to condemn her servants, and in their enthusiasm for the patriotism of the Boers, forgetting that their own country might claim something of the same kind from themselves, to approve and support a cause which could only be justified upon the assumption that England had committed a flagrant and atrocious crime! More un-English, more unpatriotic conduct than that of these men he could not conceive, acting, as they did, at a moment of difficulty and danger, and apparently desiring the success of those who were in arms against their country. He begged pardon if he spoke too warmly; but he felt deeply on the subject. His noble Friend at the head of the Colonial Office might ask what he recommended. He was not so presumptuous as to offer advice to his noble Friend; and if solutions of the difficulty had occurred to him, he knew well enough that to mention such solutions would not increase the probability of their adoption. But this he would venture to say—premising always that before terms were offered resistance to Her Majesty's authority must be overcome and at an end—he would give to the Transvaal Boers, as soon as it could be rightly done, the freest institutions, the most ample powers of self-government that were compatible with the due administration of a regular Executive, and with a restraint which experience had proved necessary upon their dealings with Native Tribes. This country must be guarded alike against unjust seizure of Native lands, and the continuance of that slavery which was repugnant to humanity. It might be true that no British interests were to be directly served by our retention of the Transvaal; but he ventured to think that there might be something higher even than British interests. He would venture to quote (and it should be the last quotation with which he would trouble their Lordships) the words of a British Minister who well appreciated and understood the principles upon which the real greatness of England was founded. Lord John Russell, writing to Sir George Grey upon the question of retaining British Kaffraria, on June 3, 1855, used these words—

> "Let me, in the first place, declare explicitly that it is for no object of dominion or extension of territory that Great Britain wishes to maintain possession of Kaffraria. So far as the interests of this Empire are concerned, British Kaffraria might be abandoned and the eastern districts of the Cape Colony left unprotected, without injury to the power of the United Kingdom, and with a considerable saving to its finances. But such considerations have not been allowed to prevail. The performance of an honourable duty to British Colonists, the maintenance of a position acquired at a great cost both of men and money, and, lastly, views of comprehensive and vigilant humanity induced Her Majesty's Government to take a very different course."

It was idle to talk about getting rid of our responsibilities; and he did not hesitate to say that, in his view, a Minister who would sit down and shiver under his responsibilities was unfit to be a British Minister. At this moment we were responsible to the British residents in the Transvaal, to whom we had practically promised protection; we were responsible to the Native Tribes, to stand between them and the oppression to which they had so long been subjected without our interference; we were responsible to the Boers themselves, for they could not be prosperous unless we preserved order in their country; we were responsible to the White inhabitants of South Africa, that the Transvaal should no longer be a standing menace to their security; above all, we were responsible to the British people, whose blood had been shed and their money spent in a manner which would, indeed, afford a melancholy retrospect if the only result which we had achieved should be the re-establishment of a Republic which had abused its power in almost every respect. He sincerely trusted that his noble Friend, whom he knew had the welfare of South Africa at heart, and whose counsel he hoped would be allowed to prevail upon that and other Colonial questions, would not be found to abandon authority where it could be honourably maintained, and that the solution of the question to be arrived at might be one which would be consistent with the good government of the Transvaal, the security of the other British possessions in South Africa, and last, but not least, the honour of England.

Moved, That there be laid before this House, Papers on the subject of a proclamation recently published by the Dutch Triumvirate in the Transvaal purporting to give an historical retrospect of events connected with the annexation of the Transvaal and previous thereto, and justifying the rising of the Boers against Her Majesty's authority.—(*The Lord Brabourne.*)

THE EARL OF KIMBERLEY: My Lords, with reference to the Motion of my noble Friend, he moves for Papers, but does not mention the particular Papers he desires to have produced. We have already presented a considerable number of Papers on the subject of the Transvaal, and shall present more. But I take it to be the main object of the speech of my noble Friend to controvert the statements in the Boers' Proclamation to which he has referred. That was a perfectly natural and legitimate object, and in a great deal of what my noble Friend has said on that subject I entirely concur. The Proclamation, which has been in your Lordships' hands for some time, quotes in the terms of the Sand River Convention, and declares, in the plainest manner, that never has any provision of that Convention been violated so as to furnish England with even a pretence of right to withdraw from her obligations. That is a very bold assertion; but it is not borne out by the facts. My noble Friend has quoted the authority of individuals with regard to the carrying on of a *quasi*-slave trade. The words of the Convention in regard to that trade are exceedingly explicit. "It is agreed that no slavery should be permitted or practised in the country." My noble Friend has adduced a considerable amount of evidence on the subject, and your Lordships are aware that for the last 30 years the subject has been from time to time brought before Parliament, and I think that irrefutable evidence has been brought forward to show that, whether or not with the direct countenance, at least without being prevented by the Government of the Transvaal Republic, the Boers did, in many instances, violate that provision of the Convention. But, in speaking of the countenance given to slavery by the Government of the Transvaal, it is of importance that your Lordships should remember that what was called the South African Republic consisted, up to 1865, of three different portions. One was that of which Pretoria is the capital, and I believe that its Government did exert itself to see that the Convention was duly observed. But there were two other divisions, one which consisted of the territory around Lydenburg with the Secocoeni country, and another, an independent community of Boers, whose territory lay further north, and was, I believe, a more lawless community than either of the others, and the charges made against the Boers generally might be more especially directed against them. President Burgers, the last President of the Republic, when, in 1875, he was in this country and in communication with Lord Carnarvon, admitted that the trade in black ivory—that is, in children—did exist in some parts of these latter territories before they were united. I believe, my Lords, that these transactions, for the most part, took place a considerable time ago. My noble Friend referred to Dr. Livingstone's letter, but it was written towards the end of 1852; and there is no doubt that in the earlier stages of the Republic, when the community was far less settled than it became, outrages of the kind referred to were more frequent. It was difficult to procure any clear and direct evidence of the existence of the slave trade, because those who engaged in it sheltered themselves under a system of apprenticeship; but Lord Clarendon said that if it was found necessary to apprentice so many orphan children, it was strange that there were so many orphan children found to be apprenticed. The answer sought to be given was that in the raids made by the Boers upon the Natives the children abandoned by their parents had to be taken care of, and were so by being apprenticed. But there were other proofs that the charges made were not without foundation, and a curious piece of evidence is furnished by a letter written by the wife of a Boer, in which she states that a Boer had come home with six head of cattle and one Kaffir girl, and that another came home with 32 large Kaffir girls whom he was disposing of for half-a-sovereign a-piece. It is to be feared that this kind of thing took place at one time very frequently; and, therefore, my Lords, I entirely deny the truth of the assertion made in the Proclamation that never had any provision of the Sand River Convention been violated. Then on this statement hangs another. It was said that we violated the 5th Article of the Convention, which had reference to the sale of ammunition to the Natives. It was agreed that ammunition might be sold to the emigrant farmers; but its sale to the Natives was prohibited. The Boers said we violated that Article of the Convention by allowing ammunition to be sold to the Natives. Now, the facts of the case are these. Not long after the Convention was concluded, frequent complaints were made on the ground that the Boers were violating the stipulations of the Convention against slavery; and our Government said that it was a perfectly one-sided stipulation which allowed the Boers to supply themselves with ammunition for the purpose of making wars on the Natives, and thus of carrying on the slave trade, the Natives not being allowed to have ammunition to defend themselves. That was said so far back as the time of the government of Sir George Grey, and that was the answer that was made in reference to the violation of the 5th Article. But there is another part of the Proclamation to which no reference has been made by my noble Friend, and as it is on the Table and has been published in the newspapers, I should not like to appear to acquiesce in it by passing it without notice. It may be summed up by a reference to what is said towards the end of the Proclamation. They make a long statement as to what they say took place at the outbreak of this insurrection, and they end by stating that before the whole world they charged Sir Owen Lanyon, first, with having commenced the wars without notice, and next with carrying on the war with a disregard of the rules of civilized warfare. Well, my Lords, I have had no means of communicating with Sir Owen Lanyon, and I am not, therefore, able to contradict the charges made on his authority; but from my knowledge of the British authorities in the Transvaal, and of the whole course of conduct pursued by them, I should be extremely surprised if it is not found that these accusations are wholly without foundation. Of course, until I receive a statement of the facts I cannot make any positive assertion; I simply say that I believe the charges will not be found to be sustained. Of course, at the outbreak of an insurrection of this kind, occurrences will take place which must be regretted. But when it is said that Sir Owen Lanyon carried on the war contrary to the rules of civilized warfare, I can only say that I utterly and entirely disbelieve that assertion. I wish now briefly to refer to what my noble Friend stated with respect to the annexation of the Transvaal. He told us that when the Transvaal was annexed, no one who had been connected with the Colonial Office on our side, and no one belonging to our Party, objected to the annexation; and my noble Friend referred to a speech he had made, and to a speech of Mr. W. E. Forster's. Well, my Lords, I have always been perfectly candid as to the view I took. I said very little on the subject in this House. I said more in private conversation. But the gist of my opinion was this—that if it were true, as had been represented on what were said to be good grounds, that the Boers of the Transvaal Republic acquiesced in the annexation, then that it would be advantageous to South Africa that the Transvaal should be incorporated in the British possessions. Further than that I never went. I am not bringing an accusation against Lord Carnarvon; for it is very obvious that his utterances on the question whether the Boers were prepared to acquiesce in the annexation must depend upon the information which reached him. I have always said that the facts as stated to him, and upon which alone he could form an opinion, did appear to furnish sufficient grounds for the annexation; but, unfortunately, those facts were, not misrepresented, but misapprehended by his agents on the spot. It is unfortunate it should have occurred; but when we are told we annexed this territory from a greed of dominion and from a desire to destroy the independence of a Republic which had claims on our sympathy, then I agree with my noble Friend. I do not believe for one moment that the late Government were actuated simply by a desire to extend the Queen's dominions or to increase our responsibilities. It is evident that the circumstances which induced them to proceed to the annexation were the condition of affairs in the Transvaal, and the fact that its condition involved it in wars of a dangerous kind to all the South African Colonies; and they thought that, in order to avert this danger, it was best that it should be placed under the dominion of the Queen. Whether the conclusion was right or wrong, the motives were not motives of which this country has any reason to be ashamed. Many people express confident opinions on this subject without taking the trouble to inform themselves of the facts. If your Lordships will make yourselves acquainted with the extremely complicated questions which have arisen since the Boers left their original settlements in South Africa, and which have been a puzzle to British statesmen for a long time, you will see that there was no course possible to the British Government which was not open to many objections; and all that we could be expected to do was to adopt that course which appeared to present the least difficulty. There are those who have said that the only way to solve the difficulties was for us to withdraw from the Transvaal and to leave it to its independence. Whatever there may be to recommend that solution, it must not be supposed that by adopting it you would escape from all difficulties. You have a territory surrounded by Native Tribes, many of them warlike, unsubdued by the White population, and disputes with whom at any time may bring about Native wars. There are the Zulus; and there can be no doubt that the late Zulu War was connected with the difficulties between the Transvaal Boers and the Zulus. There are the Swazis, who are practically independent. There are also the people of Secocoeni, who deemed himself independent of the Boers. You went with a strong expedition and subdued them, and it is impossible to say you incurred no responsibility towards those whom you subdued. Your position is not the same that it was previously. The relation between the Boers and the Natives in a considerable portion of this territory is illustrated by a passage in a despatch of Sir Garnet Wolseley. He was talking to a Basuto Chief, who claimed a district occupied by 350,000

Natives, and, when asked how that could be, he said—" I drove the Boers out, and occupied it, as they had done, by the right of conquest." When we speak of the Boers holding undisputed sway over the territory they claim, we are speaking of a territory in different parts of which different conditions exist. Under these circumstances, we have endeavoured, during the last three years, and not without success, to restore order. My Predecessor was not able, and I was not able, to recommend the grant of free institutions. That was not in the least because we did not desire to see them enjoyed; but, unfortunately, such was the antipathy which a considerable portion of the Boer population showed to our rule that it was evidently impossible to form a free Assembly to co-operate with us in the government of the country. There we touch the root of the whole question. These emigrant farmers left our territory because they did not acquiesce in our rule. We have not succeeded in conciliating them, and their hostility has culminated in the insurrection now going on. I hope the House will pardon me going further into the question how it is to be brought to a conclusion. We are in a position of great difficulty; many phases of it are very serious; and the mode of attaining a satisfactory settlement will require much deliberation and discussion. I do not believe the moment has come when I could with advantage place before your Lordships any scheme of settlement or state the views of the Government. It is well we should not forget that the difficulties we have to contend with are not confined to the Transvaal. There is the Orange Free State, which is a much more settled community than the Transvaal, and is governed far better. I am happy to say that, up to this time, President Brand, of whom I cannot speak too highly, has shown himself exceedingly friendly, and has observed neutrality; but no doubt he has a difficult task. The ties of relationship and blood connected with their past history between the Orange Free State and the Transvaal Boers are so close, that it must be obvious to all that it is a matter of considerable difficulty for the President to maintain the position which he has taken up. The last intelligence I have received affords, I am happy to say, no indication of the Orange Free State departing from its position of neutrality, and that I look upon as a good omen for the future. But we must not forget, also, that in the Cape Colony at least two-thirds of the Colonists are of Dutch extraction. I have had conversations with more than one distinguished Cape Colonist of Dutch extraction, and I have always found they held this language—" We are perfectly loyal to the Queen and the British connection; but do not mistake our feelings in this matter. These men you are fighting against in the Transvaal are our own kindred, and blood is thicker than water." They watch what is going on with the deepest sympathy and anxiety; and there can be no doubt that every blow we strike in the Transvaal is a blow felt by our own Dutch subjects in the Cape Colony. Hence it is of vital importance to the Queen's dominion in South Africa, to the whole future of that country, not of the Transvaal only, but also to the peace and tranquillity of our own Colonies, that this unhappy war should be brought to a termination as speedily as possible.

Earl CADOGAN said, that while many on the Opposition side of the House sympathized with the views of the noble Lord who introduced the question, they felt with the noble Earl who had just sat down that this was not a time at which these matters could be discussed with advantage to either country. There was no doubt that debate just now on the subject of the Transvaal would be of great disadvantage to the public service; but he questioned the statement of the noble Earl the Secretary of State for the Colonies, who said that, while he agreed with the annexation at the time it took place, he had reason to believe that Lord Carnarvon had misapprehended the information which he had received, and that the facts had been misrepresented by the agents. The result of the statement would appear to be that the noble Lord saw reason to doubt the wisdom of the course he approved at the time, and that, coming from a noble Lord in his position, was an admission of considerable importance and gravity.

The Earl of KIMBERLEY said, he never thought that Lord Carnarvon had misapprehended; but that the agents had not misrepresented, but misapprehended.

EARL CADOGAN said, he did not think the noble Earl's explanation much altered the case. He had no intention of arguing the question of the annexation of the Transvaal again; but he must say that from all the information he had obtained, and from all the reading he had been able to go through, he saw no reason to depart from the opinion that that annexation was necessary; that it had not been productive of anything but good until this dissatisfaction had been aroused by those who believed it was their business to arouse it, and which showed itself in the form of the present unfortunate rebellion. They, on that side of the House, had no reason to be ashamed of their action in regard to the annexation; and, until they saw further reason to change their opinions, they should still think it was necessary at the time, and continue to trust that the present Government would not listen to those who advised them to reverse the policy which led to the annexation.

Motion (by leave of the House) *withdrawn.*

House adjourned at Seven
o'clock, till To-morrow,
Eleven o'clock.

HOUSE OF COMMONS,

Monday, 21*st February*, 1881.

MINUTES.]—PUBLIC BILLS—*Ordered—First Reading*—India Office (Sale of Superfluous Land)* [91]; Exemption from Distress* [92].

Committee—Sea Fisheries (Clam and Bait Beds) [83]—R.P.

Committee—Report—Protection of Person and Property (Ireland) [79-90].

QUESTIONS.

STATE OF IRELAND—THE BANTRY LAND LEAGUE.

MR. HEALY asked Mr. Attorney General for Ireland, If his attention has been drawn to the failure of a prosecution for alleged intimidation instituted by the Police against the treasurer and secretary of the Bantry Land League, and tried before the Bantry magistrates on the 7th inst.; whether the woman alleged to have been intimidated swore that she was never intimidated by either of the gentlemen accused; whether the latter were put to much expense by having to bring down counsel from Dublin to defend them; whether the Government will make some compensation to the parties prosecuted for the expenses they were obliged to incur; and, whether the Government approve of such prosecutions; and, if not, whether they will caution the police against such proceedings in future?

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON): My attention was drawn to the prosecution referred to in the Question of the hon. Member and to its result. Two persons, one of whom was the Treasurer and the other the Secretary of the Bantry Land League, were summoned under the Conspiracy and Protection of Property Act, 1875, for intimidating a publican who refused to serve a bailiff on the Kenmare estate with refreshment. The case was dismissed on the evidence of the publican himself that he was not intimidated. I do not know whether the defendants were put to any expense; but I have reason to believe that the Dublin Central Land League, at their own expense, sent down counsel from Dublin to defend the case. [Mr. HEALY: No, no!] In reply to the last paragraph of the Question, I have to say that legitimate prosecutions under the Act I have mentioned have the approval of the Government; and the information which the Constabulary had in this case quite justified, in my opinion, the institution of this prosecution.

CENTRAL ASIA—RUSSIA AND MERV.

BARON HENRY DE WORMS asked the Under Secretary of State for Foreign Affairs, Whether he has seen a telegram from Khelat in the "Daily News" of Saturday, stating that "General Skobeleff announces his intention to march through the border Persian territory," that "the Merv Chiefs have held a council and resolved to resist the Russians to the last extremity," and that "a deputation of thirty Merv Elders has gone to Candahar to seek aid;" whether Her Majesty's Government has received any information to the above effect; if he could state upon what grounds Her Majesty's Government have come to the conclusion that it is not the intention of Russia to advance upon Merv; and, whether Her Majesty's Representative in Persia, Her Majesty's Ambassador at St. Petersburg, or the Government of India, have forwarded any information bearing on this Question?

SIR CHARLES W. DILKE: Her Majesty's Government have received no confirmation of the report to which my hon. Friend refers. I must repeat my former statement, that there have been no negotiations with the Russian Government upon the subject of the advance of the Russian troops in the Turcoman Steppe. Information on this subject has, of course, been received from Her Majesty's Representatives at St. Petersburg and Teheran; and the opinion which I expressed, that it is not the intention of Russia to advance to Merv, was founded on information received from Her Majesty's Ambassador at St. Petersburg.

SOUTH AFRICA—THE TRANSVAAL (MILITARY OPERATIONS).

CAPTAIN O'SHEA asked the Secretary to the Admiralty, Whether, at a time when Sir George Colley stated that he was collecting all available forces, a body of seamen were landed from the "Boadicea," but no Marines; and, if so, could he explain why these seasoned troops, who had served through the Zulu War of 1879, were not placed at the General's disposal?

MR. TREVELYAN: Sir George Colley did not ask the Commodore for Marines. He wanted nothing but a couple of Gatling guns and some rocket tubes, with the men to work them. The *Dido's* men who went up with Sir Evelyn Wood were equally in charge of Gatling guns. I may add that ships' complements are never broken into in order to land seamen and marines for military purposes except on an emergency, and in accordance with the requirements of the military authorities.

STATE OF IRELAND — THE MAGISTRACY—LAND LEAGUE MEETINGS.

MR. METGE asked Mr. Attorney General for Ireland, Whether Mr. Loyd, the resident magistrate, was correct in his decision given from the Bench at Drumlish Petty Sessions on Monday last, in which he declared the Land League illegal, that he would arrest anyone who delivered speeches at Land League meetings, and that he would refuse bail for any member of the Land League who might be arrested, as it was an illegal society; and, if it is true that bail was refused?

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Sir, it is not within the province of the Attorney General for Ireland to pronounce an opinion on the correctness of a decision by the Bench at Petty Sessions. Nine of the defendants were committed for trial; but, as I understand, the Bench stated that bail would be accepted. I am not, however, aware whether they have perfected their bail.

INLAND REVENUE—THE INHABITED HOUSE DUTY.

MR. ANDERSON asked Mr. Chancellor of the Exchequer, If his attention has been called to the want of uniformity with which the Inhabited House Duty is levied; if he is aware that the public museums and art galleries of the Metropolis are not charged, while public museums and art galleries in some provincial cities are charged, and that private business premises on which profits are made have been exempted, while some provincial public premises on which no profit is made are not exempt; and, if, before he introduces his next Inland Revenue Bill, he will have the matter inquired into, so that a uniform system may be adopted?

MR. GLADSTONE: I think my hon. Friend is, to some extent, right in the assumption made in this Question, that there is not perfect uniformity in the exaction of the Inhabited House Duty with reference to buildings used for educational purposes and to public buildings. It has been represented to me that this is owing very much to the want of a clear and broad line in the law of exemption. The truth is, that there is no exemption by law, and that the exemption has been gradually introduced by the Executive authorities. The rule in actual operation is, that Treasury dispensation is granted for "public buildings and those used for educational purposes"—a phrase which has been literally interpreted—and only such parts of those buildings are charged as are occupied by caretakers. I cannot, I am afraid, give any absolute pledge with respect to the coming Budget, and the financial arrangements for next year; but I must agree with my hon. Friend, that uniformity is desirable.

PUBLIC MONEY PAID TO MEMBERS OF PARLIAMENT—RETURN.

MR. CAINE asked the Secretary to the Treasury, When he will be able to lay upon the Table of the House the Return of Public Money paid to Members of Parliament, ordered upon the 28th of January last?

LORD FREDERICK CAVENDISH: The Return of Public Money paid to Members of Parliament is ready so far as regards Naval and Civil funds; but it will be 10 days or a fortnight before the information can be given as regards Army Services. Members of the House of Commons are not in any way distinguished from other officers of Her Majesty's Forces; and the rolls of the Militia and the Yeomanry regiments must be very carefully examined in order to ascertain the Members of Parliament who bear commissions.

FACTORY AND WORKSHOPS ACT—FACTORY INSPECTORS—APPOINTMENT OF MR. J. D. PRIOR.

MR. DALRYMPLE asked the Secretary of State for the Home Department, Whether it is true that, in the case of the appointment of Mr. J. D. Prior to a Factory Inspectorship, the usual examination qualifying for the appointment has been dispensed with, and for what reasons an examination which is, rightly or wrongly, in general considered an unfailing test of fitness, has been considered unnecessary in Prior's case?

SIR WILLIAM HARCOURT: I am obliged to the hon. Gentleman for giving me this opportunity of explaining my action in this matter. Some time ago a large deputation, representing the various trades in the country, came to me and, among other things, represented that they felt aggrieved in regard to the administration of the Factory and Workshops' Act by the fact that the Inspectors were taken exclusively from a class of persons who had no practical acquaintance with the special interests which it is their business to protect. Though the Factory Inspectors are an admirable body of men, numbering between 50 and 60, and do their work very well, still it is impossible to deny the substantial truth of the allegation I have referred to. The examination which is prescribed practically excludes all but men belonging to the wealthier classes, and who have had the advantages of a University education. That is obvious when I mention that among the subjects of examination are Latin, Greek, French, German, Italian, statics, dynamics, hydrostatics, pneumatics, &c. When such an examination is coupled with the condition that the candidate must be under 30 years of age, it is obvious that it must exclude all persons of the artizan class. It seemed to me that there was a defect in the system, and that it was very desirable that if the artizans were to be satisfied with the working of these Acts, passed specially for their benefit, their own class should have some share in their administration. I, of course, communicated this view, in the first instance, to the First Lord of the Treasury, and I obtained his sanction to the general principle. I then made it my business to find a proper person on whom the experiment might be tried. The post of a Factory Inspector is one which requires, not only knowledge and ability, but tact and judgment, to prevent friction between the interests of employers and employed. I believe, from the character I have received of Mr. Prior, that he will fulfil these requirements. I have, accordingly, applied for the assent of the Treasury under the 7th section of the Order in Council of June 4, 1870, by which the Chief of a Department may, if he considers that the qualifications of a candidate in respect of knowledge and ability deemed requisite for such situation are wholly or in part professional or otherwise peculiar, recommend, in the public interest, that examination be wholly or partially dispensed with. I have received the assent of the Treasury; and I am happy to be able to state that this appointment has the cordial concurrence of Mr. Redgrave, the Chief Inspector of Factories. I wish it to be understood that this is an individual instance, and I have not wished to suspend the general rule as to examination in other cases. I do not contemplate making such appointments the exclusive or even the predominant feature of the system; but I am glad of any legitimate opportunity to give to the artizan and operative classes a share in the Civil Service of the country, especially in matters which peculiarly concern their interests. I think this is such an apportunity, and that it is an experiment worth trying, and I have every hope and confidence in its success. How far it may be extended will depend upon the event of the trial.

SOUTH AFRICA—THE TRANSVAAL (NEGOTIATIONS).

Sir GEORGE CAMPBELL asked the Under Secretary of State for the Colonies, If Her Majesty's Government have yet sent any definite instructions to Africa laying down the terms on which a suspention of hostilities with the Boers may be agreed to, with a view to an arrangement and pacification?

Mr. GLADSTONE: In reply to my hon. Friend, I have to state that Her Majesty's Government have taken such steps as appeared to them to be best calculated to promote a satisfactory settlement and to spare effusion of blood, consistently with maintaining the honour of the British Crown. It would not be for the public advantage to enter, at the present time, into details.

TUNIS—THE ENFIDA CASE.

Sir H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to a paragraph in the French newspaper "Télégraphe," copied into the "Standard" of the 17th instant, under the head "The Tunisian Question," stating that M. Jules Ferry, in replying to M. Rouvier, Deputy for the Bouches du Rhone, on the subject of the Enfida Estate, had declared that the French Cabinet had rejected the idea of submitting the difference to a local tribunal; whether such statement is correct; and, whether, as far as the interests of a British public are concerned, Her Majesty's Government can, consistently with Treaties and International Law, consent to ignore the jurisdiction of Tunisian tribunals in a question affecting real property situated in the Regency of Tunis?

Mr. MONTAGUE GUEST asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to the statements made in several French newspapers, that the English Government has definitely consented to refer the Enfida case at Tunis to arbitration, notwithstanding the understanding stated to have been arrived at between the two Governments that the matter should be determined in due course by the local tribunals according to local law?

Sir CHARLES W. DILKE: I have seen several statements in the French and the English newspapers respecting the communications which have passed on this subject between Her Majesty's Government and that of the French Republic. None of them appear to be quite accurate. In any case, it would be contrary to the usual practice to express any opinion with regard to statements made by members of foreign Governments. As regards the settlement of the Enfida dispute, a proposal has been brought forward by the French Government, which Her Majesty's Government have referred for the consideration of the Law Officers of the Crown. I cannot enter into more details.

POST OFFICE ACT, 1837—DETENTION AND OPENING OF LETTERS.

Mr. M'COAN asked the Secretary of State for the Home Department, Whether, in view of the precedent established by the Report of the Select Committee on the Post Office in 1844, he will, as soon as may be consistent with the public interests, be prepared to lay upon the Table of the House a Return of all the Warrents issued by him since April 1880, to authorise the opening or detention of letters passing through the Post Office in Great Britain and Ireland?

Sir WILLIAM HARCOURT: Sir, I can only give the hon. Member the same answer which I gave the other day to the hon. Member for Newcastle (Mr. Cowen). I should consider it inconsistent with my duty, in the absence of any directions from the House, to do anything to impair or limit the power which Parliament has conferred on the Secretary of State by statute, by adding to it a condition which Parliament has not thought it right to impose.

STATE OF IRELAND—THE MAGISTRACY—THE LAND LEAGUE—CHARGE OF RIOT AT DRUMLISH.

MR. T. D. SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been called to the following words reported in the "Freeman's Journal" as having been used by the resident magistrate, on Monday last, at Drumlish Petty Sessions, where some persons were being tried on a charge of riot:—

> "He did not want to threaten, but he would allow no man to go through the country while he was in charge of it creating ill-will between the people and Her Majesty's Government. Any man who in future attempted to do so, or addressed any meetings in such terms, he would at once have him arrested. Then let them bring on their case to the Queen's Bench, and get out of it if they could;"

and, if such language were used, whether Her Majesty's Government intend to express any disapprovel of the use, from the bench of justice, of such language? I may add that I am not responsible for the terms in which the latter clause of the Question is printed on the Paper. It has been eviscerated, Mr. Speaker, and the operation has been badly performed.

MR. W. E. FORSTER: I have seen a report of the matter in *The Freeman's Journal*, and I have also seen a note from the gentleman concerned stating that the report was incorrect. The note was published in the same journal.

MR. T. D. SULLIVAN: Did the gentleman state what he did say?

MR. W. E. FORSTER: I dare say the hon. Member reads *The Freeman's Journal*, and can inform himself on the matter. The gentleman stated simply that the report was "incorrect."

THE NATIONAL DEFENCES—FORTIFICATIONS AT DOVER.

GENERAL SIR GEORGE BALFOUR asked the Secretary to the Treasury, Whether any sanction has been given to spend money on fortifications at Dover or at the end of Dover Pier, since the beginning of the years 1879-80 and 1880-81; and, if so, for what works and to what amount; and, what measures the Treasury intends to take to prevent money in excess of the loan for fortifications being exceeded, as, by the Report of the Comptroller and Auditor General dated 24th January 1881, appears likely, unless the Treasury takes prompt action to put an end to expenditure on fortifications under the Loan Act?

LORD FREDERICK CAVENDISH: Sums were voted in the Army Estimates for 1879-80 and 1880-81 for works on the Battery at the end of Dover Pier and in re-modelling Archcliff Redoubt, and I believe a further sum has been inserted in the Estimates for the coming year. It is probably to these works that my hon. and gallant Friend alludes in the first part of his Question. With regard to the second part, the Acts of Parliament which authorize fortification works to be defrayed out of moneys raised by loan only put a limited sum at the disposal of the Government, and the Government have no power to exceed that sum. These Acts appropriate the moneys to be borrowed to certain works; but give the War Office authority, with the consent of the Treasury, to vary that appropriation within the limits of the total sum granted. That authority has been exercised by the War Office, as is shown in the statement appended to the Report from which my hon. and gallant Friend quotes; but it has been exercised within the limits of the total sum granted, and we have no reason to believe that there will be any excess over the total sum granted.

AFGHANISTAN—RETENTION OF CANDAHAR.

SIR GEORGE CAMPBELL asked the Secretary of State for India, Whether, seeing that the Indian hot weather is rapidly approaching, he has come to any decision as to the disposal of the troops now at Candahar; and, whether he will consider the desirability of allowing the Afghans to choose their own magistrates, in accordance with their ancient Republican institutions?

THE MARQUESS OF HARTINGTON: Sir, I think I have already stated that very full discretion has been given to the Government of India, both as to the time and the manner of the withdrawal of the British troops now in occupation of Candahar, and also as to the arrangements to be made for the future government of that City and Province. I have reason to think that very shortly I shall receive some information from the Government of India as to their views upon these questions; and as soon as it is possible for me to do so, I shall be very happy to give any information I am able to the House.

STATE OF IRELAND—POLICE PROTECTION IN CO. CLARE.

Mr. FINIGAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Upon what ground police protection has been granted to Mr. Burton, a justice of the peace for the county Clare; whether he will cause an inquiry to be made in reference to such police protection; and, whether he will report to this House the result of such inquiry?

Mr. W. E. FORSTER: I do not think I can be expected to give the grounds upon which protection has been in each case given. The House will see that it is not desirable I should do so. With respect to the case to which the Question refers, protection was granted in consequence of our having before us reports from the resident magistrate and the local constabulary, which showed that at the time it was given it appeared to be necessary. For some days past the Government, the magistrates, and the police have been inquiring into these matters, and we are now endeavouring to ascertain how far this protection is still required.

PARLIAMENT — BUSINESS OF THE HOUSE (URGENCY) — NEW FORMS OF PROCEDURE.

Mr. ASHTON DILKE asked the First Lord of the Treasury, Whether, bearing in view the fact that the present "Urgency" Rules only apply to measures of an exceptional character, and do not in any way further the progress of ordinary legislation, it is the intention of the Government to propose any modification of the forms of the House to apply when business is not urgent, with a view to facilitating legislation on the many and grave questions in which the Country is interested?

Mr. GLADSTONE: In answer to this Question, I desire to say that Her Majesty's Government have not arrived at any positive conclusion with respect to new arrangements for conducting the Business of the House, beyond the new system which has been adopted with regard to "urgency;" and I do not think it is probable that we shall arrive at such a conclusion until we see a much better opening than the present state of our immediate engagements could afford for submitting it to the House. At the same time, on my own behalf, and I believe on the part of my Colleagues, I may say that I quite agree in the opinion intimated in the Question, that these restrictive measures having reference to "urgency" do, by no means, cover the whole of the case; and that it is a subject well deserving the consideration of the Government and of Parliament what new arrangements can be adopted for the purpose generally of enabling the House of Commons to discharge its numerous and arduous duties more efficiently and with less delay and arrear than is now possible.

SOUTH AFRICA—THE TRANSVAAL (MILITARY OPERATIONS).

Sir HENRY TYLER asked the Under Secretary of State for the Colonies, Whether Sir George Colley was in telegraphic communication with the Home Government when he advanced from Newcastle; and, whether he made that advance, and met with the defeats of Laing's Nek and Schaine Hooght, under orders from England?

Mr. GRANT DUFF: To the hon. Member's first Question I have to answer "Yes." To the hon. Member's second Question I have to answer "No."

Sir HENRY TYLER asked the First Lord of the Treasury, Whether a telegram was received by Lord Kimberley from Sir George Colley on the 4th December 1880, containing the following words:—

> "I am sending half battalion 58th to Transvaal at Lanyon's request; attitude of Boers requiring increased force at Pretoria;"

and, if he would state why the military forces in Natal and the Transvaal were not, on the receipt of that telegram, strengthened without delay?

Mr. GLADSTONE: In answer to this Question, I have to say that the telegram to which the hon. Member refers is correctly quoted, and was received upon the day which he mentions. But the receipt of the telegram from Sir George Colley was unaccompanied by any request for further reinforcements; and, in fact, it shortly followed upon the despatch of a portion of the 58th Regiment from Africa to England. It was not considered by the Government to afford any occasion or warranty whatever to send new troops to Africa. It is quite obvious, I think, that Sir George Colley would have conveyed some view of that kind if he had seen any necessity of the sort. This movement of troops was from one part of Her Majesty's territories to another; and that with reference to a purely local exigency. In illustration of that, I may mention that in the very last despatch we received from Sir Owen Lanyon previous to December 19—which was the day on which we received intelligence that we had to send forces to Africa—namely, the despatch dated November 14, and which we received shortly before December 19, he used these expressions—

> "He did not anticipate that any serious trouble would arise out of the resistance at Potchefstroom, which he regarded as a repetition of what had occurred at Middelburg and other places."

And in a despatch of the 19th of November, and not received until the 24th of December, after the order for the despatch of troops had been issued, he spoke of a notice that had appeared in the newspapers; and, while expressing the opinion that the time had come for the Government to take a more decided course with regard to the action of agitators, he wrote, in conclusion—

> "I do not think there is much (if any) cause for anxiety with regard to the ultimate issue of the measures now being taken by the Government"

—that is, by the Local Government. These were the accounts which we received previous to the 19th.

SIR HENRY TYLER: Was any notice taken of the telegram of the 4th, and were any measures taken between that and the 21st?

MR. GLADSTONE: No troops were sent to Africa in consequence of the receipt of the telegram of December 4; and it was, and is, our opinion that we should not have been justified in taking such steps on that occasion.

SIR HENRY TYLER: Was any use made of the telegraph between this country and Natal, between the 4th and the 21st of December?

MR. GLADSTONE: If the hon Gentleman will allow me time to inquire at the Colonial Office, I will answer the Question; but, at present, I really am not aware of all the telegrams that have been sent between the 4th and the 21st of December.

RAILWAYS (INDIA)—RAILWAY TO CANDAHAR.

SIR HENRY TYLER asked the Secretary of State for India, Whether he will caused to be prepared, by competent and impartial authorities, general estimates of the cost of completing the Railway to Candahar, and the annual cost of occupying Candahar with a British force after the completion of the Railway; and, whether he will state on similar authority the composition and amount of the force required for such occupation of Candahar, in addition to the Army of India otherwise necessary?

THE MARQUESS OF HARTINGTON: I do not believe that any complete or detailed Estimate of the cost of completing the railway to Candahar has been made, or possibly can be made at present, because a very large part of that railway has not yet been surveyed. As far as I am aware, the actual line to be followed has not been decided upon. The cost, however, of the whole length of the line from the Indus to Candahar is roughly estimated at £10,000 a-mile; but I have very considerable doubts whether it will not be found to exceed that sum. In reply to the last part of the Question, I may say that I think it useless to attempt to frame conjectural Estimates of the composition and amount of the force required for the occupation of Candahar. As I have already stated, the amount of the force actually required at the present moment has been fixed on the recommendation of the Commander-in-Chief, and in deference to his strong opinion that it is not more than adequate for the purpose of the occupation, and for the security of the force itself. Some details respecting the Estimate provided by the Commander-in-Chief will be found in the Papers that will be laid on the Table of the House.

CHANNEL ISLANDS—BURIALS ACT, 1880, IN GUERNSEY.

MR. RICHARD asked the Secretary of State for the Home Department, Whether it is not the fact that, although the Channel Islands are expressly included in the Burial Act of 1880, the inhabitants of Guernsey are deprived of the advantages of the Act by the refusal of the Royal Court, sanctioned by the States of Guernsey, to obey the Order in Council requiring the registration of the Act; whether the Government will take steps to bring the Law into operation in the Island; and, whether he will lay before Parliament the correspondence which has taken place on the subject between the local authorities and others and the Home Office?

Sir WILLIAM HARCOURT, in reply, said, the correspondence on the subject was not yet complete. He would do all he could to give effect to the Act of last Session.

NAVY—NAVIGATING OFFICERS.

Mr. GORST asked the Secretary to the Admiralty, Whether the position of the remaining navigating officers of the Royal Navy is at present much inferior to that of the officers of the Executive List, by whom they are being gradually superseded; and, what steps the Admiralty propose to take by means of any scheme of retirement or otherwise to raise the position of the navigating officers to an equality with that of other officers performing identical duties in the service?

Mr. TREVELYAN: I can only answer my hon. and learned Friend that the rank of navigating officers of the Royal Navy, relatively to that of the executive officers, is exactly what it always has been. The transfer of sub-lieutenants from the navigating to the executive lists has brought this difference in rank into prominence, and the Admiralty are considering this very difficult and complicated question.

THE NAVAL BRIGADE—THE ZULU WAR MEDAL.

Mr. HERBERT MAXWELL asked the Secretary to the Admiralty, If he will state what reasons exist for delaying the issue of the war medal to the men and officers of the Naval Brigade engaged in the late Zulu War; and, whether, in consideration of the fact that the medal has been issued to all our land forces engaged in that War, and in view of the disadvantage occasioned to men who leave the service before the medal is conferred on them, he can hold out any hope of an early distribution of these medals to the men of the Naval Brigade?

Mr. TREVELYAN: With regard to the men engaged in the operations in Zululand, it has been necessary to correspond with the Commodore at the Cape, and with Admiral Sir Francis Sullivan, the late Commodore, in order to ascertain the ships entitled to the medal and the men entitled to the clasp. Orders have now been issued for the preparation of the rolls; but these preliminary investigations have taken up so much time as seriously to retard the distribution. Arrangements have been made during the present military operations in the Transvaal to secure a contemporary record of services, which will be adopted in all future cases, and will obviate this cause of delay.

INDIA—THE VERNACULAR PRESS ACT.

Sir DAVID WEDDERBURN asked the Secretary of State for India, Whether he can now inform the House as to the general substance of the Despatch recently forwarded by the India Office to the Government of India upon the subject of the Vernacular Press Act; and whether he will lay that Despatch upon the Table of the House?

The Marquess of HARTINGTON: A despatch has recently been forwarded by the India Office to the Government of India, calling their attention to the Vernacular Press Act, and asking them to consider the expediency of repealing it. There will be no objection to laying that despatch on the Table if the hon. Baronet will move for it?

ARMY—QUARTERMASTERS.

Colonel ALEXANDER asked the Secretary of State for War, Whether he proposes to take any steps with a view to improve the position of the Quarter Masters of the Army?

Mr. CHILDERS: I must ask the hon. and gallant Member to wait until I move the Army Estimates, when I shall state my intentions in regard to these officers.

LAW AND POLICE—THE RIOT ACT.

The O'DONOGHUE asked the Secretary of State for the Home Department, Whether it is according to the provisions of the Riot Act for a magistrate to read the proclamation, commonly called "Reading the Riot Act," at a peaceable meeting where there has been no riot actual or attempted, and then for the magistrate to proceed to disperse a crowd by force, as if riot had or was taking place?

SIR WILLIAM HARCOURT: If the hon. Member wants a legal interpretation of the Statute, he should have put his Question to the Law Officers of the Crown. The Statute provides that if any persons to the number of 12 or more be unlawfully assembled together, and on being required or commanded to disperse themselves shall unlawfully remain together for one hour, and so forth, they shall be liable to be dispersed. The Act, of course, might be read when the facts of the case fulfil the conditions required by the law.

AFGHANISTAN—AYOUB KHAN.

MR. O'DONNELL asked the Secretary of State for India, Whether, in March or April 1880, information was conveyed to the Political Officer at Candahar of the exact state of Ayoub Khan's regular forces; and, whether that information was supplied to the Government of India and the India Office; if so, why action was not taken to strengthen General Primrose's force; and, if not, why the information was not sent to Simla or Calcutta?

THE MARQUESS OF HARTINGTON: I do not think that any exact information as to the state of Ayoub Khan's regular forces was conveyed to the Political Officer at Candahar during March or April, 1880. All the information we had as to the condition of affairs at Herat from January to May, 1880, will be found in the Government of India Despatch No. 185, of the 17th of August, 1880, which is published with the other Afghan Papers.

PARLIAMENT—BUSINESS OF THE HOUSE (URGENCY)—THE NEW RULES.

MR. W. M. TORRENS: With reference to the New Rules of Procedure, I wish to ask the First Lord of the Treasury, Whether the term "Minister of the Crown" was meant to be understood as applying only to the Chancellor of the Exchequer, or one of the Secretaries of State; and whether until such limitation should be made by further Resolution of the House, it was to be understood that no other holder of office in Her Majesty's Government should claim to have the right of moving "urgency?"

MR. GLADSTONE: I have not had sufficient time, since I became aware that my hon. Friend intended to put this Question, to make a very formal examination into it. At the same time, I have no difficulty whatever in giving him what I hope he will consider a sufficiently practical answer. I do not entertain any doubt as to the proper meaning, as fixed by usage, of the term "Minister of the Crown." It would, undoubtedly, in my opinion, comprehend every Member of the Cabinet, and nobody but a Member of the Cabinet. I think that to be unquestionable, according to present usage; but, while that may seem unsatisfactory to my hon. Friend, I do not hesitate to say that I think the intention of the declaration of the House to be that the Motion should be made, not on behalf of any Department, but on behalf of Her Majesty's Government. I should, therefore, say it would naturally and regularly be made, and be made only, by the Leader of the House, whatever Office he may happen to hold. He might hold the Office of Secretary of State, or Chancellor of the Exchequer and First Lord of the Treasury. It will even be in the recollection of some that at one time my noble Friend, the late lamented Lord John Russell, was for a short period Leader of this House without holding any Department. I hold the meaning in the view of the House, and the correct and proper course, would be that the Motion should be made by the Leader of the House.

MR. TOTTENHAM asked, Whether, as the House was shortly to be called upon to vote the application of an additional Rule, framed by Mr. Speaker, in connection with the Bill for the Protection of Person and Property in Ireland, the Prime Minister would state the intention of the Government respecting the Amendment on the Paper in the name of the hon. Member for Northampton (Mr. Labouchere), or similar Amendments, which might be handed in previous to the hour mentioned in his Notice of Motion, or at any subsequent stage of the Bill?

Mr. GLADSTONE: I hope the hon. and gallant Gentleman will not think me discourteous; but I own I should be sorry to establish a precedent, when a Bill is in Committee, by giving a reply to a Question as to the course the Government intend to take upon any particular Amendment on the Paper, because it is obvious the same Rule would hold good as to any Amendment. An answer of that kind might not be favourable to the regular conduct of Business. All I can say is, that if such an Amendment can, and shall, be made as was on the Paper in the name of the hon. Member for Northampton, the Government will then be prepared to take the course they consider most convenient under the circumstances.

Mr. T. D. SULLIVAN said, he would like to know, with reference to the New Rules, whether the series might now be regarded as complete?

Sir STAFFORD NORTHCOTE: With reference to the Question put by my hon. Friend behind me (Mr. Tottenham), and to the answer of the Prime Minister, I wish to put a Question to you, Sir; and it will greatly conduce to the convenience of the House if you are able to answer it. It is, Whether the Amendment of the hon. Member for Northampton (Mr. Labouchere) can be put, as a matter of Order, upon the stage at which we now are?

Mr. SPEAKER: The right hon. Baronet puts a Question which would be more properly put to the Chairman of Committees, because it is a Question which will arise when the House is in Committee. If the Chairman of Committees should consider the Amendment not in Order, no doubt he would so state to the House.

Sir STAFFORD NORTHCOTE: Should I, under these circumstances, be in Order in putting the Question to the Chairman of Committees now, because, of course, it materially affects the vote we are about to give?

Mr. SPEAKER: The course proposed is so novel that I would rather not answer the Question without reflection. But if I am called upon to give an answer at once, I am bound to say I think the Question should not be put, as it might set up an inconvenient precedent.

Mr. T. P. O'CONNOR: If the hon. Member for Northampton's Amendment be ruled out of Order, will the right hon. Gentleman the Prime Minister be prepared to bring in an Amendment of a similar character, with a similar design, which will be in Order?

[No reply was given to this Question.]

MOTION.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL—VOTE OF URGENCY.—RESOLUTION.

Motion made, and Question put,

"That, in Committee upon the Protection of Person and Property (Ireland) Bill, this day, at 12 o'clock, the remaining Clauses of the Bill, and any Amendments and New Clauses then standing upon the Notice Paper, be put forthwith."—(*Mr. Gladstone*)

The House *divided*:—Ayes 415; Noes 63: Majority 352.—(Div. List, No. 62.)

ORDERS OF THE DAY.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL.—[Bill 79.]

(*Mr. W. E. Forster, Mr. Gladstone, Sir William Harcourt.*)

COMMITTEE. [*Progress 18th February.*]

[EIGHTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Clause 3 (Continuance of Act).

Mr. ERRINGTON moved, in page 2, line 28, to leave out the words "thirtieth day of September," and insert the words "thirty-first day of March." The Amendment, he said, went more to the root of the question than any yet brought forward. They had already disposed of the action of the Bill, so far as it was retrospective, and the present Amendment dealt prospectively with the period at which the Act was to terminate. As the Bill now stood, it would continue in operation until the end of the month of September, 1882—that was to say, until about one clear month after the expiration of the next Session of Parliament. In place of that date, the Amendment proposed that it should cease to be in operation on the 31st of March, 1882, or about two months after the commencement of the next Session of Parliament.

The Committee would see at once that this Amendment was likely to affect the opinion and action of classes far outside those against which it was primarily directed. By some it was held that the present state of Ireland should be settled, and law and order completely restored, before remedial measures were introduced; but, on the other hand, it was urged that the very state of things against which the Bill was directed was that which afforded the opportunity for the introduction of remedial measures. No one recognized more than he did the lamentable state of things which now existed in Ireland, and nobody deplored it more than he did. But, as he had said, he could not shut his eyes to the fact that it was owing to this unfortunate state of things that an opportunity was afforded for remedial legislation. Even in regard to the combination or association of which they had heard so much—the Land League — contemptible and nefarious as its objects were, and composed almost entirely of pot-house conspirators, it might be said that, though "like the toad, ugly and venomous," it wore "a precious jewel in its head." The "precious jewel" was the occasion afforded for the final pacification of Ireland, and there had been brought about a more immediate prospect of Land Reform than they had ever had before. He admitted that Her Majesty's Government were bound to introduce some measure dealing with the condition of the country and the state of things now prevailing; but it was very questionable how far it was wise to interfere with the balance of circumstances which now, for the first time, gave them a hope of ultimately settling the Land Question. They had also to deal with the classes represented by hon. Gentlemen opposite, who, though not opposed to a settlement, had neither the wisdom to recognize nor the generosity to make the necessary sacrifices. Therefore, if they could not be appealed to on the ground of high motives, they must be appealed to on the more ignoble motive of self-interest. The want of generosity and wisdom had to be made up by personal pressure; and though order and peace must be preserved, it was a question how far they must by artificial security entirely remove that pressure to which they were obliged to appeal. In order properly to understand to what extent it was right to diminish this pressure, he thought the Committee ought to consider some of the contingencies with which it would be necessary to deal. If, as he hoped would be the case, this Bill was followed by a really good and effective Land Bill, there would be no necessity for continuing the measure in operation beyond the 31st of March, 1882. He was convinced that under such circumstances the Bill might be safely allowed to expire on the 31st of March, 1882. But it might be said that there were other contingencies. The Land Bill in its progress through Parliament might be emasculated in "another place," or it might not pass at all. If that were so, it would be of no use to continue the Bill until the month of October in next year. They would have to re-enact it, not only for the period proposed by the Government, but probably for years. In that case, what advantage would be gained by continuing the Act for six months? All they would gain would be that they would have the whole Session, instead of only two months, in which to re-enact it. This could be only regarded as a difference of convenience; but surely the House was not going to suspend for six months, perhaps unnecessarily, the liberties of the people in a large part of Her Majesty's Dominions, on a mere matter of convenience. He would probably be told that although the precedents which existed in the last five or six cases in which the Habeas Corpus Act had been suspended established the principle of suspending the Act from Session to Session only, yet that recently a spirit of delay and obstruction had been manifested which made it undesirable to have the question brought under the discussion of the House more frequently than was absolutely necessary. He protested most indignantly against such a view. He believed there never was a time when the House of Commons was more capable and more determined to perform its duties, and to put down and arrest anything like obstruction. That feeling had been fully displayed during the last few days. Under these circumstances, it was perfectly clear that nothing could be gained by continuing the Bill beyond the month of March next year. If the Bill was required at all beyond the 31st of March, it would be required beyond the 30th of September;

and, therefore, they would have to re-enact it. But let them consider for a moment the evil that would be produced by prolonging the continuance of the Act. It would unquestionably have the effect of rendering much more difficult the passage of any reforming measure. That was made plainly apparent by what he had already stated as to the motives which would actuate a particular class in opposing any Reform Bill. They would be removing one of the strongest inducements and motives they could work upon in order to persuade the opponents of Land Reform to accept a fair and reasonable measure. There was one further consideration, and that was the position into which hon. Members on that side of the House had been led. The vast majority on the Liberal side of the House had been induced to take up a position which was most trying and distressing to them. Instead of being called upon to remove the evils, and remedy the grievances, of Ireland by a fair and honest measure of Land Reform, they had been compelled, against their will, to acquiesce in a most anti-Liberal system of coercion. He did not blame them for that. They were perfectly right, he thought, in loyally supporting their Leaders. No greater calamity could occur to this country, and especially no greater calamity could occur to Ireland, than anything that could weaken or appear to disunite the Government who were at present upon the Treasury Benches. That being so, hon. Gentlemen on that side of the House, though they had supported this measure of coercion for Ireland, had acted as they ought to do as Members of the Liberal Party; but the loyalty they had shown towards the Front Ministerial Bench justified them now in appealing to that Bench for some reciprocal sympathy. He thought they had a fair claim to be met when they made a demand that the measure of coercion should be limited as far as possible. He certainly hoped that in the division he should feel bound to take he would have the support of hon. Gentlemen on that side. He believed that even supposing he succeeded in carrying this Amendment against Her Majesty's Government, that they would not really be inflicting a defeat upon the Government; but, on the contrary, they would be defending the Government against itself upon a matter of detail in the Bill. The Government would be the first to admit, if this Amendment were carried, that the Amendment itself had facilitated and helped them, and strengthened their hands, when they came to deal with those measures which they all looked to for the pacification of Ireland. The Liberal Party, by acting in the way they had, and by the loyalty they had displayed, had acquired a twofold right and incurred a twofold duty. The first of these rights and duties was to insist that, as they had been true to their Leaders in supporting them in this most unpalatable measure, they should show the same determination to carry the Land Bill through Parliament, and not allow the voice of the vast majority of the country to be overridden by a minority either in that House or "elsewhere." The second point was that, as they had accepted this Coercion Bill, not as a measure of coercion, but as a *bonâ fide* and integral portion of that Land Reform to which alone they looked for the pacification of Ireland, the Liberal Party should not allow even necessary measures of coercion to overshadow or render more difficult the Reforms for which they were looking for the substantial benefit of the country. On these terms alone could the present action of the Liberal Party be reconciled with Liberal principles. He appealed fearlessly to his hon. Friends around him to support his Amendment, and, if necessary, to defend the Liberal Government against itself.

Amendment proposed,

In page 2, line 28, to leave out the words "thirtieth day of September," and insert the words "thirty-first day of March,"—(*Mr. Errington,*)

—instead thereof.

Question proposed, "That the words 'thirtieth day of September' stand part of the Clause."

Mr. W. HOLMS remarked, that, in common with many hon. Members on that side of the House, he had felt very great reluctance in supporting the Government measure. It was, undoubtedly, one of the first duties of Her Majesty's Government to maintain law and order, and to protect life and property; and the ordinary law having proved ineffectual in Ireland, Parliament now found itself placed under the necessity of granting to the Government great and exceptional powers. He ventured to think that the principle on which they should be guided in granting these powers was that coercion ought not to be resorted to to any greater extent, nor for any longer period, than was absolutely necessary to vindicate the authority of the Crown and re-establish the ordinary law of the land. The Bill they had been considering went further in several respects than any previous Act that had been passed since the beginning of the present century for the suspension of the Habeas Corpus Act. It embraced a greater number and a greater variety of crimes. In this respect, however, he thought the Government had been fully justified in the course they had taken. The Bill, however, was not only more sweeping in its character, but it proposed to suspend the Habeas Corpus Act for a longer period than on any previous occasion. He had taken some trouble to ascertain the number of these Acts and their character, and he found that there had been in all 16. He left out the Westmeath Act of 1871, because it was local in its character, and was applied to only one particular class of outrages. If the Committee would bear with him, he would briefly refer to the various Coercion Acts which had been passed within the period he mentioned. The first Act was passed on the 24th of March, 1801, and it terminated on the 4th of June, 1801, having been in force for a period of three months only. That Act was followed by another passed on the 29th of July, 1803; and in December, 1803, an Act was passed which was to determine in six months after the termination of the next Session of Parliament. The Session did not begin until January, 1805, so that the suspension of the Habeas Corpus Act in that case amounted to 14 months. An Act was passed in February, 1805, to last for six months. There was another Act passed on the 1st of March, 1817, for four months, which was continued on the 30th of June for 18 months. Then followed nine Acts, all applicable to Ireland:—In 1822, for 6 months; in 1824, for 13 months; in 1848, for 7 months; in 1849, for 7 months; in 1856, for 6 months; in 1866, for 6 months; in 1867, for 3 months; in 1868, for 9 months; and again in 1869. If the Committee accepted the proposal of Her Majesty's Government that the present Bill should determine on the 30th of September, 1882, they would suspend the Habeas Corpus Act for one year and seven months. Even if they accepted the Amendment of his hon. Friend the Member for Longford, they would suspend it for 13½ months, or for a longer period than by any other Act during the present century. A great Constitutional authority—the late Earl Russell—said that "Liberty was a flower of tender growth, and must be carefully guarded." He feared, however, that there were circumstances which might induce them at the present time to guard those Constitutional liberties with less than usual care. The forbearance which had been displayed by Her Majesty's Government, combined with the feeling that lawlessness existed in Ireland, and an absolute reign of terror, made the country acquiesce in any wish the Government might suggest, and they were ready to place any power in the hands of the Government that might be asked for. A feeling of irritation had been produced by the obstruction and delay which had been interposed to prevent the progress of the Bill. It had been rendered necessary, in order to conduct the Business of the House at all, to enforce very stringent Rules; and probably that fact might induce many hon. Members to agree to the clause as it stood, and the more readily, because more than one Member of the present Government was known for the deep interest he took in the welfare of Ireland, and in that fact there was an assurance that the Government would not continue to exercise these arbitrary powers one moment longer than they were really required. Unhappily, it had never been a difficult thing for any Government, whether Tory or Liberal, to pass a Coercion Bill. But coercion was not a remedy. It was simply an easy way of dealing with the difficulty. If they were to pass the clause as it stood, he ventured to say that it would form a dangerous precedent for the liberties of the country. But, while he admitted there were circumstances which might induce the House to pass the Bill, he might add that there was one consideration which ought to prevent Her Majesty's Government from asking for so long a term for the continuance of the Act—namely, that although there had been numerous Coercion Bills during the last 80 years, on no one occasion had the Minister in charge of a Bill been able to rise in his place and say that it would be followed by remedial measures. One reason why hon. Members were induced to vote for a Coercion Bill now was the assurance which had been given by Her Majesty's Government that remedial legislation would follow, and an effort be made to allay the discontent which the passing of the Bill could not fail to create. Within the last few days the country had been assured by a Cabinet Minister that the measure to be brought forward by the Government was such as he believed would satisfy all reasonable Irishmen. If the measnre to be proposed was of such a broad and comprehensive character, it would, in all probability, settle the much-vexed Land Question, and restore peace to Ireland. If the Government themselves had faith in its efficiency, he would urge upon them to accept the Amendment of the hon. Member for Longford, and to rest satisfied with obtaining powers more ample and for a longer period of time than had been given to any Government for upwards of three-quarters of a century.

Mr. W. E. FORSTER: I am sorry that I am unable to accept this Motion. I wish to look at the matter practically as it stands. We think that this measure is necessary, and the majority of the House think that it is necessary. What is now happening in Ireland shows two things—the necessity for such a measure, and how likely it is to be a real remedy for the evils which it has been brought in to remove. I hope and expect that by this time next year it may have produced good results; and I should be personally disappointed if I did not find that by this time next year it will be in the power of the Crown to intimate such a pacific condition of things in Ireland as would warrant the intimation that it would not be necessary to renew the Act. But I cannot say that any Member of the Government is at present able to say that we shall be able to do without this Act throughout next year, or for any of the time which has been specified. There can be no doubt that the social system in Ireland has been very deeply shaken, and that strong remedies are required to cure the present evils. Although I look forward with very great hope to remedial measures, yet we must remember that the state of things with which the Government has to deal is very bad, and that if it were not for that bad state of things we should not have been justified in bringing in this Bill at all. In regard to the question of precedents, my hon. Friend who has just sat down (Mr. W. Holms) has gone over the previous Coercion Acts of the present century; and I think that, practically, the precedent is in favour of even a longer time than 18 months, because I find that invariably, or almost invariably, the Acts passed originally for a short term have been continued so as to make their total duration much longer than 18 months. My hon. Friend must be aware of the time it would take to renew the Act if a renewal were found necessary. I should not be candid if I did not state my belief that we have been a much longer time in passing this Bill than we ought to have been; but it must be borne in mind that the time has gone by when such measures can be either passed or renewed in a day. I am glad that that is so. I do not think that Acts of this sort ought to be passed in a day, and we must look forward to very considerable discussion when a proposition is made either to pass or renew such a measure. That was not looked forward to in past times. All that was necessary was to say that the Government thought such a measure ought to be passed or renewed, and it was not a very difficult thing in those days to carry out legislation of this kind. But there have been Acts passed for a longer period than 18 months. In 1795, an Act was passed for England, and it was renewed from time to time for three years. I believe that the same Act applied to Ireland, and the reason why the Act was only passed for three months in the first year of the Union was that it was part of an Imperial Act, and that it finished the three years for which the Irish Act had been passed. Then, in 1823, there was an Act passed which lasted 18 months or more, upon renewal. In 1817, an Act was passed which was renewed once, and which lasted two years or more; and on the 14th of February, 1822, there was another passed, which also lasted for 18 months or more. [Mr. W. Holms: That was renewed in June.] In 1866, the period fixed was 18 months. My hon. Friend says that he will not take the Westmeath

Act as a precedent. Now, the Westmeath Act is more of a precedent than any of the Acts we have had to deal with, because it was directed against that evil which is the main evil we have to contend with now. It was directed against agrarian outrages; and though in this Bill we have found it necessary to include treasonable practices, yet I would not for a moment conceal from the House that it is principally to deal with agrarian offences that this measure is wanted. It is true that the Westmeath Act was confined to one county only, and to part of another; but it was passed in order to enable the Government to deal with agrarian outrages. It was passed by the House of Commons in 1872, and it was originally fixed for two years—not for 18 months, but for two years. It was renewed at the end of that time for another two years, and our Predecessors in Office renewed it again for two years. The late Government, however, renewed it under circumstances in which I do not think we should have renewed it, because at the time they did so there was not a single prisoner in custody under the Act. Will the Committee look forward with any degree of comfort to our putting ourselves in a position which would require us to spend three weeks or a month at the beginning of next Session in the renewal of the Act? I do not think they will. On the other hand, we have fixed the period for the termination of the Act at the end of next Session, because we do not wish to be allowed to go on further than the Parliament of next Session. We do not want to take any power which will last longer than next Session; and, by the course we have proposed, we have put ourselves in a position in which it will be possible to renew the Act, if necessary, although I do not expect that it will be, next Session. We shall know better what the prospect will be when Parliament meets next Session. We cannot legislate now with absolute certainty, and we do not want to put ourselves in a possible position that we shall be obliged to take away from next Session any of the early part of the Session that ought to be devoted to Imperial legislation. There can be no doubt that with Parliament sitting all our proceedings will be carefully watched. If we were asking for the continuance of this measure longer than the next Session of Parliament, I can easily understand that there might to be a strong objection; but, as we are only asking for it up to the end of the Session, I think the House will consider that no practical object will be gained by adopting the Amendment of the hon. Member for Longford (Mr. Errington).

MR. O'SHAUGHNESSY thought that the right hon. Gentleman the Chief Secretary had not taken a fair view of the proposal of the hon. Member for Longford. Of late the graver kinds of agrarian outrages in Ireland had ceased. [MR. W. E. FORSTER: That is not true.] The fact might be taken from the Press. He knew very well that threatening letters were still sent, and that some kinds of minor offences that were called outrages were committed. But the graver outrages had certainly ceased. If they had not ceased altogether, they had certainly ceased substantially, and that fact ought to be borne in mind in considering the duration of the Act. Another fact ought also to be borne in mind, and that was that they were promised remedial legislation. It had been frequently stated on that side of the House that if remedial legislation had preceded coercive legislation, there would have been no necessity for this Bill; and he still thought that, although remedial legislation would lose much of its force as a means of pacification and conciliation, owing to this coercive legislation, yet that such disturbance as might still be alleged to exist in Ireland would be minimized if a real remedial measure received the sanction of Parliament. He thought these two points were considerations which ought to be borne in mind by the House before it consented to suspend the Habeas Corpus Act, for a longer period than the Legislature had ever thought it right to do before, at one blow. In the instances mentioned by the right hon. Gentleman the Chief Secretary there was not a single case in which the Habeas Corpus Act had been suspended at one blow for as long a period as the present Bill proposed. [MR. W. E. FORSTER: There is the Westmeath Act. He had not referred to the Westmeath Act. That Act was not a suspension of the Habeas Corpus Act. He must say that he objected to interruptions from a right hon. Gentleman on the Treasury Bench, especially when those interruptions took the extraordinary form of a statement—"That is not true." He thought he was entitled to ask the right hon. Gentleman to adopt some other mode of objecting to his remarks, and to reserve any further observations he had to make for a more fitting opportunity. It was certainly the first time he (Mr. O'Shaughnessy) had heard so blunt a contradiction in that House. The principle adopted by the House hitherto in passing a measure of coercion had been to give Parliament an opportunity, at an early period, of saying how it would continue to deal with the matter. In every instance the Act had been passed for a shorter period than was proposed by the right hon. Gentleman in the present Bill. Why should that principle be departed from now? It was admitted that the outrages were not as numerous or as serious as they had been on many occasions when the Habeas Corpus Act had been suspended before. Moreover, the Government proposed by legislation which they were about to introduce to remedy the grievance of which the Irish people complained. Was this a time, then, for proposing a suspension of the Habeas Corpus Act in Ireland until the end of next September twelvemonths? In *The Statist* of February 19, an accurate statement was given of the dates at which the various Acts for the suspension of the Habeas Corpus Act were passed and the dates at which they expired; and, without attempting for a moment to read the article, he would extract a few of the figures which showed that in no case of the suspension of the Habeas Corpus Act had the course now taken by the right hon. Gentleman the Chief Secretary been followed. In no instance had it been proposed, at a single blow, to suspend the Act for so long a period as 18 months. The first Act that was passed was passed in the year 1801, and it was passed for three months only. The second was passed in the year 1803, and it was to remain in force for six weeks only after the commencement of the next Session of Parliament with the special object of allowing Parliament in that Session to discover whether there were any circumstances which justified the continuance of the Act. In 1803 another Act was passed, and in 1805 a similar one, both of which were to continue for six months only after the commencement of the next Session. There were several precedents running upon precisely the same lines and embodying the same principle—namely, that Parliament, at the earliest moment, should have an opportunity of considering whether there was any necessity for a further continuance of the Act suspending the Habeas Corpus Act. Another Act was passed in the year 1822, and it was provided that it should continue only from February 11th until August 1st. There the principle evidently was that the Government calculated on the Session ending with the beginning of the month of August, and they gave themselves the opportunity of renewing the Act if the necessity arose. Then, again, in 1848, the Habeas Corpus Act was again suspended, and the suspension was to last until March 1st, 1849. The Act was, however, renewed on the 27th of February until the 1st of September in the same year. There, again, the principle of submitting the matter to the consideration of Parliament was fully admitted; and would the right hon. Gentleman the Chief Secretary for a moment argue that the state of Ireland at this moment was anything like what it was in 1848? Yet, in order to justify the course the right hon. Gentleman was now taking, he should show not only that there was some similarity between the circumstances of Ireland at the two periods, but that the state of things was, in point of fact, worse now than it was in 1848. Then, again, another Act was passed on the 13th of February, 1866, for suspending the Habeas Corpus Act until the 1st of September in the same year. On the 10th of August, 1866, that Act was renewed, but the old principle was reverted to, and the new Act was made to last only until 21 days from the commencement of the following Session. Another Act followed in 1867, which was to last from the 26th of February until the month of June following; and the same Act was renewed from the 31st of May, 1867, until the 1st of March, 1868. The last Act was passed on the 28th of February, 1868, to last until the 25th of March, 1869, or 21 days after the commencement of the following Session. Now, for the first time, and under a Liberal Ministry, they had introduced a Coercion Act suspending the Habeas Corpus Act in Ireland for more than 12 months, and taking it out of the power of the Parliament then sitting to consider whether there were any circumstances which justified its renewal for a longer period. And this was done, although outrages had almost disappeared from the country. It was done, although they were told they were on the eve of the introduction of a Land Act which would bring contentment to the people. In his opinion a more gratuitous suspension of the rights of the people was never proposed by any Minister of the Crown. He trusted, although he had little doubt that Her Majesty's Government would carry the Bill as it now stood, that the English Liberal Members, looking at the justifiability of the discontent in Ireland, the present absence of serious crime, the way in which the demands of the people for justice had hitherto been rejected year after year, and taking into consideration the natural warmth of the feelings of the Irish people, he did trust that by their votes hon. Members on the Liberal Benches would make a strong protest against this unjustifiable aggression upon the rights of the Irish people.

MR. ASHTON DILKE said, that at the time the Amendment was placed upon the Paper he had intended himself to submit an Amendment to the same effect. The noble Lord the Member for Woodstock (Lord Randolph Churchill) also gave Notice of a similar Amendment; but in the interval which had since elapsed the Amendment of the noble Lord had vanished from the Paper, and, consequently, the support which the Amendment received from the hon. Member for Longford (Mr. Errington) and the Irish Liberal Members, from the English Radical Members, and from the Party led by the noble Lord, was now weakened to the extent of one-third. He presumed that the noble Lord had deliberately made up his mind to pursue his career without being associated with any other body of Members in that House, and remaining an Arch Ministerialist even at the expense of Party discipline. There was one point which had not been touched upon by hon. Members who had hitherto spoken upon the Amendment. The Amendment now under consideration was an Amendment which differed in principle from all those before proposed in the Bill. Hitherto, the line he had taken was that of supporting Her Majesty's Government in the rejection of the various Amendments which had been suggested. The view he had taken was this. Having read the Bill a second time, it was not for them to criticize the details of the proposal brought forward by the Government. Having supported the Government and thrown the responsibility upon the Government, they were bound to look upon the measure, more or less, as a whole, and to vote for it accordingly. Therefore, in all the Amendments which interfered with the mode suggested by the Government for carrying the measure into effect, he had supported the Government, because he knew that the Government had sources of information which no private Member could have. But on the Question now submitted to the Committee, every hon. Member had as perfect a right of judgment, and was as fully competent to exercise that judgment, as any Member of Her Majesty's Government. It was a case, also, in which the Radical Members of the House were fully entitled to vote against the Government, seeing that it related to the future operation of the Bill, and that they possessed as good data for judging as to the time necessary for restoring law and order in Ireland as Her Majesty's Government themselves. The chief argument of the right hon. Gentleman the Chief Secretary appeared to be this. He appealed to the feeling of the House—and he (Mr. Dilke) did not wonder that the feeling of the House was strong after what had happened during the last month or six weeks—the right hon. Gentleman appealed to the House whether they would consent to have all this trouble over again at the beginning of next Session. That was entirely a matter for the judgment of the supporters of the Amendment, and it was precisely because they did wish to have all this trouble over again next year that the Amendment had been proposed. He agreed with the right hon. Gentleman the Chief Secretary, that the discussion which had occurred this year had had one exceedingly valuable result. It showed that no Coercion Bill could be passed in future between a Saturday afternoon and a Monday morning. He contended that if they had only secured that result, the time had not been wasted. It was highly essential, he thought, that in the event of a suspension of the Habeas Corpus Act, Parliament should be put in possession of all the facts of the case as soon as the Session commenced, and that it should then rest with Parliament whether the suspension should be continued or not, or whether they should say—"The operation of the Act has been successful; it has accomplished every object for which it was enacted, and it is not necessary to renew it further." It was argued that in other instances it had almost invariably been found necessary to renew the Act; but there was a distinct reason for that. Previous measures had always proceeded upon the policy of coercion, pure and simple, and none of them had been accompanied by the promise of remedial measures. They had now a remedial measure promised and about to be introduced; and he would tell hon. Members opposite that he, for one, would not have been found voting in the Government Lobby if he had not had a distinct pledge that these remedies were coming. Therefore, as they were now going to have remedial measures, previous precedents did not apply, because every precedent that had been quoted was founded on the ordinary, steady-going, hum-drum, eternal round of coercion, year after year. This Bill, however, was founded on an entirely different principle; and yet the right hon. Gentleman the Chief Secretary came down to the House and asked for a longer term than they had ever previously been in the habit of voting for a Coercion Bill. Assuming the right hon. Gentleman to be correct, and that the House would not like to go through all this trouble again next year, he would remind the right hon. Gentleman that it would not be absolutely necessary to do so, because the New Rules would probably be in operation next year, and they would make a considerable difference in the event of a renewal of the Act being found desirable. With regard to the actual time fixed for terminating the operation of the Bill, there was one point which was worth considering. He had always understood that the danger of outrages was greater and more imminent in the winter time of the year—with the long dark nights the danger was supposed to increase; but he did not think the right hon. Gentleman had paid any attention to the fact that the Bill would cease to operate just as the winter season commenced, and that although the people would be under coercion all the summer, yet, when the most dangerous period of the year arrived, the coercion would be removed. Although they were content to place their trust in the Government for the introduction of a good Land Bill, they did not wish to give up to the Government all the powers they now held in their hands. He ventured to think that if Parliament passed the Bill for 18 months, that period of 18 months would be found a very long day. The landlords in Ireland might be ready to say—"This is our last chance, and we must do all we can while this last chance remains." What was the course pursued last year? What happened then ought to be a ground why the Government should not continue this measure in operation longer than was absolutely necessary. Last year, the landlords of England and Ireland were told that they had the remedy in their own hands, and that if they wished discontent and disloyalty to disappear in Ireland they would pass the Compensation for Disturbance Bill. Yet the landlords in "another place" refused to pass it. That measure only touched the pockets of the landlords. But this Bill touched the principles of the Radical Members, and they were asked to put aside those principles and pin their faith in full loyalty and honesty to the Government, and do that which the landlords refused last year. What security had they that the Government would not turn the other cheek to the smiter?—and the smiter in this case appeared to be the Chairman of Committees in the House of Lords. A leading Member of the Government had been almost "Boycotted" for expressing, in strong language, no doubt, his feelings in regard to the conduct of the House of Lords in reference to the Compensation for Disturbance Bill last year. He sincerely hoped that the right hon. Gentleman the Chief Secretary would re-consider the determination he had expressed not to accept this Amendment, but to take the advice of hon. Members who sat below the Gangway on the same side of the House. The course the right hon. Gentleman was about to take was an exceedingly dangerous one, for it amounted practically to giving the Irish landlords a chance of doing what they liked for the next 18 months. The House had already been told that what they were carrying out was the "rod and sugarstick policy"—that they were giving a rod with one hand and a sugar stick with the other. He would take another illustration out of the nursery. They were giving a child a dose of medicine, and a very nasty dose of medicine too; but they gave the child the sugar first and the dose of medicine afterwards. He did not know whether much reliance was to be placed either upon children or upon landlords, and whether the medicine would even be swallowed at all was a matter for the serious consideration of the Liberal Party.

MR. CHARLES LEWIS said, the hon. Member for Newcastle-on-Tyne (Mr. A. Dilke) had, no doubt, gratified the extreme Radicals on the other side of the House by telling them that they had been engaged all along in putting aside all their long-cherished principles. The hon. Member said he verily believed, notwithstanding he had been voting for "urgency," and doing all he could to put a rope around the necks of the Irish Members, yet that all the time that had been occupied was well spent, if it had only resulted in demonstrating that a Coercion Bill could not be passed in 24 or 48 hours. The genus Radical appeared to require some "Westminster Confession" of faith, in order that it might be elaborately stated what it was they were to expect from an extreme Radical. For his own part, he (Mr. Lewis) thought that when they heard from the other side of the House that remedial measures were to allay all excitement and discontent, they had better reflect on what had taken place in Ireland within the last 36 hours, and the encouragement which the speech of a prominent Member of Parliament afforded to the hopes of the hon. Member for Newcastle.

MR. M'COAN rose to Order, and asked if the remarks of the hon. Member for Londonderry were relevant to the Question before the Committee?

THE CHAIRMAN: I do not see anything in the remarks of the hon. Member that is out of Order.

MR. CHARLES LEWIS said, he had been referring to the matter as an argument for allowing the Bill to remain in operation for 18 months. The promise of remedial measures by the Government appeared to have provoked further outrages instead of conciliation. If the speech of the hon. Member for Cork City (Mr. Parnell) were correctly reported, the hon. Member had made one of the most outrageous suggestions ever offered to the public. So far from the action of the Government being stayed by any indications of better conduct on the part of those who had been the misleaders of the Irish Party, and of the Irish people during the last six months, there was the strongest reason why the hands of the Government should be strengthened, and why they should give the Government every instrument and every power necessary for restoring Ireland to its proper state. The Report contained that morning in the chief newspaper of the Kingdom of the speech of the hon. Member was either true or false. If false, it would be denied; but, if true, the hon. Member suggested that, no matter what remedy Her Majesty's Government gave with unsparing hand, they were determined to repudiate it, and throw it back into the faces of the Government; and they were asked by the hon. Member to accompany their repudiation with conduct that he could only describe as diabolical. Personally, he (Mr. Lewis) had no hesitation in voting for the continuance of the Act for 18 months. No one with the slightest knowledge of the antecedents, the principles, and the character, of the right hon. Gentleman the Chief Secretary could possibly suppose that whether the Act was to last for 12 months, eight months, or three months, that he would ever make use of its provisions, designedly or advisedly, in a case that did not imperatively call for their use. Such an idea was opposed to all their knowledge of the principles of the right hon. Gentleman. He (Mr. Lewis) spoke as a political opponent of the right hon. Gentleman; but he knew that his career had always been distinguished for honesty and conscientiousness, and integrity of purpose. If for no other reason, he had no hesitation in giving his vote for the proposition of the Government; but having regard to what had been said and done in Ireland in face of the promises of remedial measures, as they were called, and seeing the way in which those very promises had been treated, the House would be foolish indeed if, under the inspiration of an extreme Radical like the hon. Member for Newcastle-on-Tyne (Mr. Cowen) it invited a repetition of the disgraceful scenes which had lately occurred.

Sir JOSEPH M'KENNA was much surprised to find that the right hon. Gentleman the Chief Secretary had referred to certain facts in justification of his opposition to the Amendment proposed by the hon. Member for Longford (Mr. Errington), because upon the rational construction which those facts bore was a reason why the Act should end on the 31st of March rather than be continued until the 30th of September. The right hon. Gentleman congratulated himself that it would not be possible on any future occasion to pass a Bill to restrain the personal liberty of any portion of Her Majesty's subjects, or to suspend the Habeas Corpus Act in 24 hours. Nevertheless, while congratulating himself upon that fact, the right hon. Gentleman was persisting in passing a measure of coercion which was to last through the whole of next Session without giving Parliament an opportunity of re-considering the matter. What the right hon. Gentleman now proposed meant in effect—"I will do all in my power, in framing this Bill, to take it out of the power of Parliament to review it next Session." Now, it appeared to him (Sir Joseph M'Kenna) that the difficulty of renewing the Bill next Session, if it were necessary, would be very small indeed, provided the right hon. Gentleman could point to a state of things which would justify its renewal, as compared with the difficulty of passing a new Act. A very short Act would only be necessary for the renewal, and the right hon. Gentleman need only refer to the continuation of the outrages, with which it was intended to deal, to justify its prolongation. The Government would have no right to apprehend from Parliament any serious objection whatever to the renewal; but in face of the fact that the right hon. Gentleman acknowledged that Parliament, Session after Session, was more indisposed to accept legislation of this kind, he nevertheless proposed to take the present measure for a longer period than usual. That was a confession of extreme weakness and great indecision in regard to the measures which were about to be introduced as remedial legislation. Although the Chair had liberally permitted reference to be made to statements which had been made in other quarters, it was impossible for the House to come to any conclusion as to the probable operation of the promised Bill until they had the measure itself before them. If, however, the Amendment were agreed to, it would still be within the power of Parliament, within a fortnight after the opening of next Session, to decide whether a continuance of coercive legislation was called for or not. There need be no fear that Parliament would allow the Act to expire, or that they would repeal it next Session, if the circumstances of the case justified the continuance of it. Under no circumstances were the Government justified in carrying out a stronger, fiercer, and more severe measure for the coercion of the people of Ireland than was absolutely necessary. All would be interested that when the law was passed it should have a good effect; and he, for one, having done his best to prevent the measure from being passed at all, would do his best, when it came into operation, to make the people as reconciled as the circumstances would permit with the law as it stood; but as a well-wisher of the British Government, and with a heartfelt desire for peace and tranquillity in every part of Her Majesty's dominions, apart from Party politics, he desired to see every effort made by the Government to minimize the effect of the operation of the Act. What harm could possibly be done if the period of the duration of the Bill were reduced to the date proposed by his hon. Friend the Member for Longford (Mr. Errington)? It would be in operation for at least six weeks after the ordinary period for the assembling of Parliament, and that interval would be amply sufficient for any purpose desired by the Government. The right hon. Gentleman the Chief Secretary said that outrages had not ceased; but his hon. Friend the Member for Limerick (Mr. O'Shaughnessy) relied upon the fact that the outrages had ceased as an argument why this provision of the Bill should be modified. He (Sir Joseph M'Kenna) took no such ground as that. If there was any reason for supposing that outrages had not ceased, was there any reason for supposing that they would not cease before the expiration of 12 months? The right hon. Gentleman himself confessed that it was his belief and hope that when Parliament met next Session, no person would be found in confinement under the Bill. If that were the right hon. Gentleman's hope, why did he ask Parliament to confer on him powers which would act as a premium upon the inaction of the Government during the whole of next year? The Bill could not be taken apart from the promise of remedial legislation. It was the promise of remedial legislation, and the ruined hopes which the unfulfilment of that promise produced, that gave the first impulse to the outrages which had been so strongly condemned. The outrages would soon cease when remedial measures were passed. Reference had been made to a speech reported in the newspapers that morning, and delivered by the hon. Member for Cork City (Mr. Parnell). He had not read the speech; but the purport of it had been communicated to him. He did not see why hon. Members should be so much astonished at that speech. He had heard speeches much stronger delivered in the immediate vicinity of the county of Westmeath by a Gentleman who was at the time a candidate for the suffrages of the electors of Athlone, who reminded the people that the time was coming when the long moonlight nights were coming on. He had lived to see the Gentleman who delivered that speech become Attorney General, and be afterwards raised to the Bench. He was not surprised in an Assembly like that to hear very strong Radical opinions expressed; and he confessed that he should not be surprised some day to find that the hon. Member who made the speech which had been alluded to a Member of Her Majesty's Government. At the same time, he did not imagine that the hon. Gentleman was working with any such intention. He was simply working honestly, as he believed, for the well-being of the Irish people. He did not think that the hon. Member was right upon all occasions, and when he had differed from him he (Sir Joseph M'Kenna) had had the courage to express that difference; but he was bound to admit that no policy upon the Land Question would have succeeded in Ireland until the hon. Member brought forward his. An old and valued Friend—Mr. Isaac Butt—with great energy, and with an ability which commended itself to the good feeling of the House of Commons, had previously brought forward a policy on the Land Question, and they all knew with what want of success. He trusted that upon the present occasion the Government would not commit the mistake of rejecting the Amendment, and that they would bear in mind the fact that it came from their own side of the House. It was a very moderate Amendment, and was supported not only by men of moderate views, but by a sincere Radical such as the hon. Member for Newcastle-on-Tyne (Mr. Ashton Dilke).

MR. SERJEANT SIMON was obliged to express his disappointment at the observations of the right hon. Gentleman the Chief Secretary for Ireland. The objection of the Chief Secretary to continuing the Bill in force for a shorter period than 18 months amounted to this—that it would be a matter of great inconvenience to the House that some weeks of its time should be spent in discussion upon the continuance of the measure next Session; and therefore he thought it necessary that the Bill should be passed now for a period of 18 months. With all respect to the right hon. Gentleman, he regretted to say that he did not consider that a sufficient reason to induce the Committee to pass a measure to suspend the liberties of a considerable portion of Her Majesty's subjects for the longer period. In giving his support to Her Majesty's Government in introducing this measure, he had done so with the greatest reluctance, and only under the deep conviction that it was necessary. He had supported the Government, also, because of the pledge given early in the Session, that immediately after this measure passed into law a remedial measure would be introduced, for the purpose of redressing those grievances and evils which had driven the people of Ireland to desperation, and had, unfortunately, rendered this measure necessary. He reminded hon. Members that the Prime Minister, at an early stage of his Government, had promised to introduce a Land Bill, and upon that understanding only, he and others on that side of the House had given support to the Government in the introduction of this measure. He did not believe in coercive legislation as a means of curing disaffection. He looked rather to remedial measures which would remove the the causes of that disaffection. When, however, a state of things arose in Ireland by which the ordinary course of law was suspended, he felt it his duty to sustain the authority of the Crown by enabling the Government to preserve law and order by some other means. The measure being necessary, having pledged himself to the principles of the Government, and having faith in the men who composed it, he had still thought, if it were possible by any means to mitigate the severity of the Bill, it was their bounden duty to do so. So far as the inconvenience attendant upon the continuance of the measure next Session was concerned, he would rather that inconvenience should exceed the expectation of the right hon. Gentleman, than that the freedom of the people of Ireland should be suspended for the long period mentioned in the Bill. He had always expected that some reason would be given why the Government had proposed this period; but no such reason had been forthcoming. Her Majesty's Government should, in his opinion, bring forward the measure again next Session for discussion; and if it were found that any attempt was being made to trifle with the patience of the House by needlessly prolonging discussion, the House would not be likely patiently to submit to it. Another reason why he thought the period named in the Bill should be shortened was, that the hands of the Government would be weakened by placing this power in the Executive for the period proposed. It had been said that a period of 12 months would not be sufficient for the restoration of law and order in Ireland; but surely, he contended, with a just and proper remedial measure, order would be restored in that time. But if that should fail, the Government would have a strong case when they came to the House to ask for an extension of the Bill. When, under the stern necessities of the situation in Ireland, the liberties of the people were taken away, he held that the Government ought, Session by Session, to come to Parliament if they considered the period of suspension should be extended, rather than prolong the operation of the Bill for a longer period than might be necessary. For these reasons he could not agree with the right hon. Gentleman the Chief Secretary for Ireland, and should support the Amendment of the hon. Member for Longford County.

Mr. MORGAN LLOYD could not agree with the hon. and learned Gentleman who had just sat down, that the Government should, if necessary, come to the House once a year to ask for another measure of this kind for Ireland; for supposing the necessity should arise next year, or the year after, three or four weeks of every Session would be taken up with the question of a Bill for the protection of life and property. He thought if the Government were right in bringing in this Bill at all, they were right in asking that it should remain in force for a year and a-half. The question was, whether that House and the law of the country were to protect the people of Ireland and govern them, or whether Ireland was to be governed by a small section of agitators in that country; and therefore he regarded the measure as one for the benefit of the people of Ireland quite as much as it was for the benefit of England. Therefore, he thought that if the Government were to be trusted at all in this matter, they ought to be trusted entirely, when they said it was necessary, in order to maintain security to life and property in Ireland, first that the Bill should be passed, and then that it should continue in operation for 18 and not for 12 months. The hon. and learned Member for Dewsbury had also said that the hands of the Government would be weakened if they took powers to preserve law and order in Ireland for the former period. But he (Mr. Morgan Lloyd) urged that the Government knew best whether that would weaken or strengthen their hands; and he repeated they must trust them with regard to the period during which the Act should continue in force as well as the necessity for the Bill. Again, the hon. and learned Member had argued that 12 months would be sufficient, seeing that the Land Bill to be introduced by Her Majesty's Government would be in operation before the end of that period. But even if that Bill could be passed in July or August this year, it must take some time before the people of Ireland would understand its provisions; and it could not, therefore, have the effect expected from it as soon as the hon. and learned Member supposed. For these reasons he should certainly support the Bill as it stood.

Mr. DALY said, they were now face to face with the Government opposition to the Amendment, and Irish Members had to regret the fact that not only was a Bill most stringent in its provisions being imposed, but that its operation was to be continued for a much longer period than was necessary. He felt they had a right to complain of the way in which this Amendment had been met by the right hon. Gentleman the Chief Secretary for Ireland, who had deliberately ignored the fact that all previous measures of coercion for Ireland had been enacted from Session to Session. Anything which came from the right hon. Gentleman was of great importance, considering his position in the Ministry; and he did not think it was a fair way of meeting the proposal of the hon. Member for Longford to ignore the fact that all these measures of coercion had extended only from one Session to another. One of the reasons of the right hon. Gentleman for not agreeing to the Amendment was that there would be no certainty that 12 months hence the measure would be unnecessary. But the Committee would remember that he had alluded to the fact that the very threat of introducing it had induced a great number of persons to leave the country. Again, why should the right hon. Gentleman despair of having this measure re-enacted on the 31st of March next? He did not wish to say anything severe; but was obliged to remark that it had been introduced altogether upon false pretences. The right hon. Gentleman had based the Bill, at its first introduction, upon the amount of agrarian crime alleged to exist in Ireland; but subsequently he asked hon. Members to believe that he was in possession of certain information of danger to the State that rendered it necessary. The right hon. Gentleman made so many statements with regard to the Bill that he forgot and contradicted some of them. He had also obtained the assent of the House to this terrible measure of coercion, by inducing hon. Members to believe that it would be accompanied by a remedial measure. But was the right hon. Gentleman quite sure that a remedial measure would be passed, or was he afraid that if it did not pass he would not be able to depend on his majority, when the 31st of March arrived, to sanction another Bill? Or was it that the Government feared that if they had to appeal to the country they might not then be sitting on the Ministerial Benches? For his part, he believed that if the Government were unable to pass their remedial measure through "another place" the majority which now followed them into the Lobby would steadily dwindle down. He recalled the words of the right hon. Gentleman, because he did not think that throughout the whole of the debate which had occurred anyone had made more contradictory statements; and he complained greatly of the manner in which English people had been influenced by those statements during the progress of the measure. The right hon. Gentleman stated that the main object of the Bill was to contend with agrarian outrage. What, then, was the meaning of the Government making so great a display of military force in Ireland, where in almost every place a small army was to be seen which looked just as if they were going to war? The object of that was to impress upon the English people that there were grounds for believing the mysterious information given to the House when the Bill was proposed. If it were true that the motive for introducing a Coercion Bill was agrarian, all that parade of warlike force would be unnecessary. He believed that a great deal of the feeling evoked in that House had been got up by the Government by their operations outside, and thought that, owing to those tactics, many lovers of fair play had been influenced to believe that they were, so to speak, on the brink of a volcano. With regard to the statements of the right hon. Gentleman the Chief Secretary for Ireland, he would pledge himself to produce in three hours five or six statements made by him that had been contradicted by as many others.

MR. RYLANDS could not agree with the reasons given by the right hon. Gentleman for rejecting the Amendment. He had supported Her Majesty's Government on almost all the divisions taken upon the Bill; but, now that the period of its duration had been reached, he found it utterly impossible to vote for the Bill in its present form. He could not but remember that the Chief Secretary closed one of his speeches on the Bill by a peroration, in which he said that the Government looked to remedial measures far more than to the Coercion Bill to restore law and order in Ireland.

But if the Government passed important remedial measures, then he thought the Committee had a right to suppose there would be no necessity for the prolongation of the powers of the Bill. It might be, perhaps, that in consequence of difficulties they would be unable to do so; but, if so, he said the House ought to keep in its hands the power of reviewing the provisions of the Bill. An hon. Friend of his, in alluding to a speech made the other day, had taken the opportunity of saying that so long as there were agitators inflaming the passions of the people it was no use to contemplate remedial legislation. He (Mr. Rylands) supposed that the power of agitators in Ireland rested on the discontent of the people, caused by unjust legislation in past times, and that remedial measures were the only means of getting rid of them. And he had always been afraid that if it were possible to prevent the expression of public opinion in Ireland that the passing of remedial measures would be rendered more difficult. He felt sure that remedial legislation would be the best way of creating peace and contentment in Ireland, and was unwilling to lend powers to the Government to extend for so long a period as 18 months an Act interfering with the Constitutional rights of the people, when he believed that the measure that was about to be introduced would prove to be effective in restoring order in Ireland. For those reasons he should vote for the Amendment. At the same time, he thought it a matter of disappointment that Her Majesty's Government had not seen their way to agree to it, and that the right hon. Gentleman the Chief Secretary for Ireland had entirely failed in giving any sufficient reason for the course they had adopted.

Mr. LEAMY remarked that the right hon. Gentleman the Chief Secretary for Ireland had given as one of the reasons why he could not consent to the Amendment of the hon. Member for Longford County (Mr. Errington) the length of the discussion which had already taken place on this Bill. He had said that he was quite aware that a Coercion Bill could not be passed in a day, and that if next Session the Government were to come to Parliament for another Bill, three weeks or a month would be consumed in discussing it. But was it for a Liberal Government to tell the Committee that three weeks was too much for the discussion of a Bill of such a character as the measure before the Committee. The right hon. Gentleman wanted the Bill to last for a year and a-half, although he said at this time twelve months he believed there would be very few people in gaol. Moreover, he said he knew the people who committed the outrages, and that the mere threat of introducing this Bill was producing the good effect of driving them away. The question was, did the right hon. Gentleman mean to arrest any persons or not? If he did, the Committee must not forget the fact that all the arrests under the Act would cease during the next few months. Perhaps there was another reason why he had not accepted the Amendment. In the face of the statement that he believed the outrages in Ireland were due to the evil of the land system, it was clear that the right hon. Gentleman trusted to coercion alone, and had no belief in the remedial legislation of the Government.

Mr. GRAY said, it was evident that, in the opinion of the Committee, it was tolerably clear that this discussion had lasted long enough. That being the case, he did not intend to delay the Committee with any remarks of his. He was glad, however, to see the President of the Board of Trade (Mr. Chamberlain) in his place, and he was sure he would say a few words on the subject. Their time was so very limited, it would enable them to get on with the other Amendments; and he therefore trusted the right hon. Gentleman would see his way to give his views on the subject.

Mr. LABOUCHERE said, he had still some hope in the right hon. Gentleman the Chief Secretary for Ireland. He had observed, at the commencement of the Committee stage on this Bill, that he was disinclined to accept any Amendments. Since then, however, he had accepted one or two; and he believed that, with a fair exercise of his own judgment, he would be ready to agree to the Amendment before the Committee, which was one of great importance. In every previous case in which the Habeas Corpus Act had been suspended, the suspension was sanctioned for as short a period as possible, and not beyond three weeks after the Session of Parliament succeeding the Session in which the Bill had been introduced. It was well-known that in 1866-7 Ireland was in a state of almost open rebellion, there being then a strong case for the suspension of the Habeas Corpus Act. In February of that year, a Bill was brought in to suspend the Habeas Corpus Act, which was to continue to the 1st of September; and on the 10th of August it was extended until the expiration of 21 days after the commencement of the next Session of Parliament. Sir George Grey, in bringing in the Bill, said—

> "We propose to limit the operation of the Bill to six months, ending on the 1st of September, a period which we hope will be sufficient to accomplish the object in view; and Parliament will have an opportunity before it separates to consider whether it is necessary—which, I trust, it will not be—to leave that power in the hands of the Government for a longer period."—[3 *Hansard*, clxxxi. 681.]

That was to say, that Parliament thought it might happen that the necessity for the Act would cease, and therefore limited the operation of the Bill to six months. In the course of the year the Ministry changed, and a Conservative Government came into office, in 1867 a Continuation Bill being brought in to extend the Bill, which lapsed on the 21st day of the Sitting of Parliament. On that occasion Lord Naas, who was subsequently Lord Mayo, said the Government did not demand this power for a longer time than necessary, and, in order to give Parliament an opportunity of deciding for what period the Act was necessary, they did not propose that it should be continued for a longer period than three months, which would give Parliament an opportunity of again deciding what course should be taken if the Government thought it necessary to ask for a further continuance of the powers. In reply to this, Sir George Grey agreed on the importance of limiting the period to three months; and the Bill was continued for that time. At the end of the time it was deemed necessary to continue the Bill. [MR. WARTON: Hear, hear!] His hon. and learned Friend said "Hear, hear;" that was exactly his point, and it was deemed necessary to continue the Bill from three months to three months. Again, in the House of Lords, Lord Derby said the Government felt it their imperative duty to propose the continuance of the Act for the shortest possible time, during which Parliament would be able to judge whether it would be necessary to continue it for a further period. The point was that the Bill was continued from three months to three months; and he was showing the views of eminent men upon the subject when a previous proposal was made to suspend the Habeas Corpus Act, and when Ireland was in a state of almost open rebellion. He asked the right hon. Gentleman to tell the Committee to what he objected in the proposal to continue the Bill to the commencement of next Session. As to its being inconvenient to do this, as the right. hon. Gentleman had stated, it might be convenient to pass the Mutiny Bill, or the Estimates for two Sessions; but the House thought one year was a sufficiently long period for which they should legislate on these matters. The Chief Secretary for Ireland brought in the Bill with the object of being successful. Those ruffians of whom they had heard so much were now disappearing. The right hon. Gentleman said the greater part of them had fled before the Bill came into operation. But were the Committee to understand that 12 months hence those village ruffians would be again at work, and that it would be necessary then to extend the suspension of the Habeas Corpus Act. If that were so, he could come to the House of Commons with another Bill, which would, no doubt, find some Members to oppose it; and he (Mr. Labouchere) would regret to see the time when the suspension of the Habeas Corpus Act was so easy that any Minister could come down and pass it in less than three weeks. The right hon. Gentleman knocked the bottom out of his own argument when he said that if he asked Parliament next Session for a Continuation Bill it would take some time to pass it. He appealed to the right hon. Gentleman to look the matter fairly in the face; as he said in the commencement, let him exercise his own judgment. The right hon. Gentleman had been a Liberal for a long time, and he hoped he had not wandered away from the paths of Liberalism. They recognized the right hon. Gentleman as one of their Leaders. They had the highest personal opinion of him, and he hoped that he would now listen to their appeal from that side of the House to limit the operation of the Bill.

MR. T. P. O'CONNOR thought it would be monstrous on the part of Irish

Members if they allowed so important an Amendment as that proposed by the hon. Member for Longford to pass without the fullest discussion; and he believed the right hon. Gentleman, in refusing to accept it, had done perhaps the most foolish act he had committed in the passage of the Bill. The refusal of the Chief Secretary meant that he wanted to abrogate, not only the rights of the Irish people, but the rights of the English Parliament, because he proposed to take away from that House the power of revising his decision for two Sessions. The right hon. Gentleman, no doubt, thought it would be rather difficult to pass another Coercion Bill through the House; and he (Mr. T. P. O'Connor) was inclined to believe that this was the last of its kind. He thought Irish Members might congratulate themselves, although they had not prevented the passing of this Act, upon the fact that they had rendered future Coercion Bills impossible. The hon. Member who had just spoken had clearly pointed out that the action of the right hon. Gentleman was contrary to all precedents on the subject, set not only by Liberal, but also by Conservative statesmen. Even in the worst days of Conservative re-action, no Minister had had the audacity to stand up in that House and propose that Parliament should for two Sessions abrogate its right of revising coercive legislation. He would renew the appeal of his hon. Friend the Member for Carlow (Mr. Gray) to the President of the Board of Trade, that he would give the Committee the satisfaction of hearing his opinion upon this important Amendment. No doubt, the right hon. Gentleman would especially enlighten them with regard to it; because, while he might be ready to swallow a measure objectionable to him, he would naturally desire to make it as little nauseous as possible. The Chief Secretary, in refusing to assent to the Amendment, was supporting the strictures pronounced upon the Bill by its most violent opponents. If the right hon. Gentleman believed in the remedial measures of the Government, he must think that it would be unnecessary next year to continue this measure; if not, they were already condemned out of his own mouth. For these reasons he hoped the right hon. Gentleman would see the necessity of yielding to the appeals that had been publicly made to him from that side of the House, and that had been privately made, he had no doubt, by the President of the Board of Trade.

Mr. SEXTON complained that the Government had given no reply to the speech of the senior Member for Northampton (Mr. Labouchere). That was a very important speech, fortified by numerous Constitutional precedents, entitled to the highest respect from both sides of the House. The hon. Gentleman had plainly shown that even in very recent times, with reference to Bills of this nature, and at periods when Ireland was in a more dangerous condition than at present, it had been the invariable practice of Ministers of the Crown to limit the operation of measures of this description to periods of the shortest duration. The most eminent statesmen had laid it down that these Bills should be so limited that the Representatives of the people should have an opportunity from time to time of passing them in review. He was puzzled to account for the indisposition of the Government to adopt that principle on the present occasion in a measure dealing with the liberties of the people. It was of the highest importance that an undue discretion should not be given to the Ministers of the Crown or the Executive; but, on the contrary, at the earliest possible period the Representatives of the people should be enabled to criticize for themselves the changed condition of affairs, and consider how far the improved condition of the country might have rendered necessary the continuation of coercive measures. Notwithstanding the series of shocks which they had received in recent weeks, he confessed he was somewhat shocked at the reason given by the right hon. Gentleman for refusing the Amendment proposed in so meek a manner by the hon. Member for Longford (Mr. Errington), one of the followers of the Government. He admitted in terms that the period ending in March next year would be sufficiently long for the duration of the measure if he could count upon the possibility of renewing the Coercion Bill then in a Sitting or two. It was because this possibility had disappeared for ever that the right hon. Gentleman was unwilling to submit to any Constitutional ordeal in connection with the renewal of this Bill. But he desired to point out that the instances cited by the hon. Member for Northampton made it abundantly clear that former Ministers of the Crown did not recognize that as a reason; but they recognized the principle that the Representatives of the people should be enabled as often as possible to criticize Bills of that kind. He objected to the position of a right hon. Gentleman allied not only with Liberalism, but with Radicalism, who stood up and asked for a Bill for an unnecessary period, because if he were to limit it to the necessary period he would not be able afterwards to renew it without discussion. The hon. Member for Limerick (Mr. O'Shaughnessy) had pointed out that grave outrages had practically ceased in Ireland. The statement was contradicted by the right hon. Gentleman in a brusque tone; but the fact remained that grave outrages had ceased in Ireland, and that had been made abundantly clear by the Papers laid upon the Table in January. Now, if the Government had given a Return for the first fortnight in February, it would have been shown clearly that there was no sufficient reason for the passing of the Bill. With regard to the arrests and convictions, it had been shown in the course of the debates upon the Bill that the Irish juries had performed their duties in these trying times as well as English juries did under ordinary circumstances. He thought the Government should give some reply to the hon. Member for Northampton, and vindicate the position taken up by the Chief Secretary—namely, that this Coercion Bill must be enacted for a period of 18 months, because they were unwilling to meet the Representatives of the people next year, and because they did not think the renewal of the measure could be effected in the twinkling of an eye.

Question put.

The Committee *divided:*—Ayes 211; Noes 68: Majority 143.—(Div. List, No. 63.)

MR. HEALY rose to address the Committee.

THE CHAIRMAN: Does the hon. Member rise to move the Amendment which stands in the name of Mr. Parnell?

MR. HEALY said, he did. He begged to move, in page 2, line 29, to leave out "two," and insert "one." He had not much hope that that Amendment would be carried, and, unfortunately, a division had been taken already upon the subject of the limits of the Bill. The right hon. Gentleman the Chief Secretary had used an argument in which he said that the reason for the Government not consenting to any alteration of the time proposed for the Bill was because of the Parliamentary exigencies of the case; and that, he considered, was sufficient reason why the Bill should run for 18 months. He wished to say, with regard to that, that it was a complete surrender of the entire case of the Government. It amounted to this—that the liberties of the people of his country were to be made subject to Parliamentary exigencies. If that was the principle upon which the Government proceeded, he thought it bore out the contention he and his Friends had so unavailingly repeated—namely, that the whole position which the Irish Party had taken up in dealing with legislation for that country in that House was the right one. They had contended that that House was not fit to deal with legislation for Ireland; and yet the Government were not prepared to face the bare possibility of that Bill being ended next Session, and had, therefore, resolved to sacrifice the liberties of the country. There was one other matter to which he wished to refer. The right hon. Gentleman the Chief Secretary had stated at an earlier period of that debate that he had great hopes as to the effect of remedial legislation; but in resisting the Amendment to reduce the lengthened period of the operation of that Bill, the right hon. Gentleman admitted that the Act which the Government were about to bring in was practically of no value as a remedial one. He presumed that the advantage of a remedial measure lay in what the right hon. Gentleman the Chancellor of the Exchequer had once said was "a great plaster to a great sore." It would be nothing of the kind; and the Government practically admitted that it was one in which they could not place a hope that the Irish would be satisfied. He would only say further that the arguments of the hon. Member for Longford (Mr. Errington) had not been answered by the Government. The Government had certainly made an answer; but had not answered sufficiently well, nor had they replied to the arguments of the hon. Member for Paisley (Mr. W. Holms), who had quoted the cases of former Acts, and who stated that no Government had asked for a Bill to be extended for the same period as the Government now asked for that one. If the argument of the right hon. Gentleman the Chief Secretary were a *bonâ fide* one, let him accept the Amendment of the hon. Member for Kirkcaldy (Sir George Campbell) that this Bill should be proceeded with as a continuous Bill at a subsequent date. They would see what action the right hon. Gentleman would take when that Amendment came on for discussion. On the whole, the Government had very little ground to stand upon; and he hoped that they would accept the Amendment which he then begged to move.

Amendment proposed,

In page 2, line 29, to leave out the words "one thousand eight hundred and eighty-two," and insert the words "one thousand eight hundred and eighty-one,"—(*Mr. Healy,*)

—instead thereof.

Question proposed, "That the words 'one thousand eight hundred and eighty-two' stand part of the Clause."

Sir GEORGE CAMPBELL said, he did not intend to support the Amendment upon its merits; but he understood that the subsequent Amendment which stood in his name, upon which he had laid great store, could not be put if that one were carried. Therefore, it was necessary for him to support the present one. He did not wish to limit the duration of any Bill of that kind; but, on the contrary, he had a particular objection to its being a temporary measure. He would much rather have proposed a more moderate Bill, and one which should be more permanent in its character; but that being a strong Bill, he would accept it for the period for which it might be considered necessary. If he were sure that, in reality, the Government had the power, as they certainly had the will, to pass a good, strong Land Bill, it would be another matter; but he believed that he had grounds for saying that there was grave reason to fear that such a Bill would not become the law of the land during the present Session of Parliament. It was probable that there was a section of that side of the House who would earnestly resist a Bill of that kind, as must be remembered regarding a somewhat similar measure last year. He had the utmost confidence in the Government bringing in a good Bill; but they must bear in mind that, even if it passed that House, in "another place" it might be rejected. In that case, the Government were not in a position to enforce the passing of it, by abolishing the House of Lords, unless they appealed to the country, which would cause a great deal of delay. There was a time when, whatever the feeling of the Whig Party in that House was, the Irish landlords were inclined to meet the proposals of the Government in a fair spirit; but the Irish landlords at the present time——

The CHAIRMAN: The hon. Member is not keeping strictly to the Amendment, which is whether the Bill should terminate or not in September, 1881.

Sir GEORGE CAMPBELL said, that if they had not an assurance that another Bill would pass Parliament, he would rather limit this one to 1881. It would be useless to continue it if nothing was to follow. The action of the Irish landlords lately put him in mind of an old and popular proverb—

"When the devil was sick, the devil a saint
would be;
But when the devil got well, the devil a saint
was he."

Now that the Coercion Bill was to be passed they were eager to get their rents.

The CHAIRMAN: I have already told the hon. Member that he is travelling beyond the Amendment.

Sir GEORGE CAMPBELL said, that, under those circumstances, he would have very little more to say. If that Bill were to extend to 1882, there were strong reasons why other measures should immediately follow it. He should vote in favour of the Amendment, because, by that time, they would see whether or no another Bill was passed.

Mr. W. E. FORSTER: I really cannot follow the argument of my hon. Friend in regard to what he said as to the Land Bill. The hon. Member for Wexford (Mr. Healy) doubted our will to bring forward that Bill. Now my hon. Friend doubts our power to carry it. For myself, I am tolerably confident about both our will and our power. What we have to consider is what is a necessary limit for a Bill whose object is to protect persons and property. If it were necessary to pass such a Bill at all, we could hardly make a compromise as to its duration. We cannot say that we will protect life and property up to a certain point, and leave it unprotected beyond that. I hope that we shall not go to a division upon the Amendment—it really was included in the last one. The question then before the Committee was whether the time should be 12 or 18 months, and the Committee decided in favour of 18 months. The hon. Member now proposes that the limit should be six. Another argument lies in this. I have very great hopes that at this time next year the Bill will be practically a dead letter. I cannot say certainly; but we ought to be able to do without it in the following September. It must be remembered that we have already spent some six or seven weeks upon the Bill this year; and, if the Amendment be carried, we shall have to spend another month at the end of the Session in renewing it. My hon. Friend cannot seriously contemplate that, surely. There is a curious forgetfulness this evening in talking of precedents. The precedent of the Westmeath Act has been referred to. That Act was originally brought forward for two years, and then renewed for another two. I think that the hon. Member for Limerick (Mr. O'Shaughnessy) said that that Act did not contain a suspension of the Habeas Corpus. It did so just as much as this one. This Bill is, so far as regards the Habeas Corpus, precisely the same. I am surprised that hon. Members should have quoted this and other precedents, because, if they look back to the different suspensions of the Habeas Corpus, they will find that, generally speaking, the Bills have run much longer than the time we are now asking for.

MR. ARTHUR O'CONNOR said, that he had risen after the hon. Member for Kirkcaldy (Sir George Campbell) in order to remind the right hon. Gentleman the Chief Secretary, before he addressed the Committee, of some words used by him, not long ago, the effect of which was that he knew well that the present state of things could not exist but for the existence of the land system. He had just told them that he was perfectly confident, before the present Session was over, that system would be altered. If that be so, that which was now the cause and source of the disturbance would be put an end to and removed by the remedial measures. If those causes should disappear before the end of the present Session, what excuse could there be for the proposal to extend coercive legislation to September of next year? If the right hon. Gentleman was sincere in what he stated, why did he ask for such an extension of the Bill as that? The right hon. Gentleman also said that the Bill was to protect life and property in Ireland; but he forgot altogether the manner of that protection. It really was a Bill to suspend all law in Ireland. There would be no law in that country except the arbitrary will of the Lord Lieutenant. There would be no liberty of the person. Men and women at any time might be arrested on suspicion of having committed crime, or of having aroused the suspicion of the authorities at Dublin Castle and their spies. There would be no liberty of speech, for no speaker could tell what interpretation would be placed upon his words by some irresponsible person. The right hon. Gentleman had treated the matter as if that Bill were an ordinary measure; but it was a complete suspension of everything like Constitutional rights. The argument of the right hon. Gentleman, he thought, was quite untenable.

MR. O'SHAUGHNESSY said, that the right hon. Gentleman the Chief Secretary had referred to the precedent of the Westmeath Act. He did not think that that Act did extend for a longer time than that which was proposed for this one. He wished to point out that there was a great distinction between that Act and the present one. In the first place, the Westmeath Act was passed in regard to one county, and some small portions of two others, he believed. The House consented to have the rights of the people suspended there, but they took into their deliberation the actual state of those counties; and the result of that was that the Act was passed after a careful consideration of those disturbances. The Bill now proposed was totally different in principle. Some portions of the country were said to be in a disturbed condition, and others were not even alleged to be disturbed. That Bill did not propose to deal with any particular part. It lay practically with one man to say what parts were disturbed, and what parts were not. That, he thought, made a great distinction between the two Bills. Another difference was one which he trusted the House would not fail to take notice of. The Westmeath Act was passed because murders were rife there; offences against the person and property were notoriously rife; outrage in its worst form was going on. No such allegation had been made with regard to the whole of Ireland now. If the allegation had been made with regard to particular districts, the state of things was admittedly very much mitigated. The outrages had, in fact, almost ceased. Under the circumstances, he did not think the Westmeath Act was any precedent whatever for the present one.

Mr. O'SULLIVAN wished to support the Amendment of his hon. Friend. He thought that it was quite long enough for the Bill to run to September next. There was already no use for the Bill for the last three months. There was scarcely any crime, or, at any rate, not more than there was in the same area in England. There was absolutely no difference between the amounts of crime in the two countries during that period. Ireland had never been so free as she was now from crime, notwithstanding that they were pressing on that Bill with such haste, and which was to extend over a period of two years. It was true that many crimes had been committed, but nothing serious had occurred in any part of Ireland; and yet they were asked to pass a special Bill which was to suspend the liberties of the people all over the country. That Bill was based upon the Returns, which were incorrect, given by the police in November and December. The actual state of crime was not different from that in England or in Scotland. If they wished to put a stop to the crimes which were sometimes committed, let them give to the people a Land Bill which would settle the question for ever. Coercion was a complete failure, and the Government had done nothing as yet to pacify the people. The Irish Members were, he was sure, only doing their duty in opposing the Bill in every possible way.

Mr. CALLAN wished to make a remark with regard to the observation of the right hon. Gentleman the Chief Secretary, that the state of things during the Westmeath Act was the same as under this one. If the right hon. Gentleman maintained that argument he must have a misapprehension of what the principle was. He found that that Bill was practically a suspension of the Habeas Corpus for Ireland. The Westmeath Act, on the contrary, was the suspension of the Habeas Corpus in a particular district; and, further, it said—

> "Anyone being reasonably suspected of being a member of the Ribbon Society who shall reside or sojourn in any place which shall be included in the proscribed district."

It was a suspension of the Habeas Corpus for Ribbonism in Westmeath only, and a portion of the two counties near. The present Bill was for the whole of Ireland, and any person might be suspected and arrested for almost any offence whatever. It would have been better if the right hon. Gentleman had taken the trouble to compare the two Bills before he came forward and told hon. Members that they were identical. There was no excuse for the right hon. Gentleman having made such an inaccurate statement.

Mr. JUSTIN M'CARTHY saw no logical result in the argument of the right hon. Gentleman the Chief Secretary, unless that Bill was to be passed for perpetuity. Even if the Land Bill be passed—and the right hon. Gentleman said that they had both the power and the will to pass it—still, he said, there would be a necessity for keeping on this Bill for a time. That necessity could not possibly exist. The disturbances could not exist, because their causes would have been removed. The argument of the right hon. Gentleman was, in fact, in favour of a permanent Bill. They were, he was afraid, establishing a grave precedent, along with others, just at the present time. The question was one of the utmost importance, for everyone who knew the first principle of the Liberal creed must hope that the most stringent limitations would be placed upon a Bill which gave power to the Government to suspend the Habeas Corpus. The greater the limit placed upon the Bill, the better for both Parliament and the country, and for the traditions of Liberalism. In the present instance the Government were going to maintain coercion without a precedent. The hon. and learned Member for Dundalk (Mr. Charles Russell) had shown already that that Bill bore no resemblance whatever to the Westmeath Act, which was a strictly local measure. The present Bill was to apply not only to ordinary offences, but even constructive and imaginary offences, and was to extend the scope of the powers of the authorities to an extent never known in our Constitution before, and, further, for a time which he contended was utterly unnecessary. Three or six months was quite enough for that Act to run, and then the Government could come and apply for a renewal if necessary. He should oppose an extension for more than three or six months with all the strength that he could bring to bear. One of the most serious dangers which they had before them was that, night after night, they were departing from old principles and establishing new precedents.

MR. DAWSON agreed with his hon. Friend the Member for the County of Limerick (Mr. O'Sullivan) that it was their duty to try and mitigate that measure as much as possible before it was passed. They really had given their constituents a promise that, until the final passage of that Bill through the House, they would oppose it in every particular, and attempt to mitigate its terms. He wished to say that the right hon. Gentleman the Chief Secretary, and the Prime Minister, had laid great stress on the fact that the approach of a Coercion Bill had done its work, and that crime was receding before it. He should like to ask the right hon. Gentleman what would be the case if crime were increasing instead of diminishing? Would not that be a strong argument in favour of the views of the Government instead of the present state of circumstances? He had been somewhat struck by a remark made in reference to the Westmeath Act. The right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright) stated in a former debate that he had never voted for a Coercion Bill, and the only reason why he had not voted against such a measure was that it was a measure brought in for the mitigation of a political and social evil. If it had been simply a measure introduced for any other purpose it would have received the right hon. Gentleman's most strenuous opposition. Now, he (Mr. Dawson) had not seen any document laid on the Table to convince the House that there was a political cause that required this strong remedy; and, therefore, upon that ground the right hon. Gentleman the Chancellor of the Duchy of Lancaster ought to vote with those who opposed it, seeing that no political danger existed in Ireland which required so stringent a remedy. He had endeavoured to test the opinion of the people of England generally upon the question, and he thought they had arrived at the conclusion that the reasons for the Bill were very slight indeed. It was disingenuous for hon. Members opposite always to take refuge in the assumption—a pure assumption, which they did not support with a pretence of argument—that the bill of indictment was of considerable magnitude, and that the Government had succeeded in making out a very strong case. He denied that they had done so. The error had even crept in of assuming that crime was exceptionally great in the months of October, November, and December.

THE CHAIRMAN: The hon. Member must confine himself strictly to the Amendment, which does not relate to the general state of crime in Ireland, but is simply whether the Act should end in the month of September, 1881. He is irregular in entering into general arguments for or against the Bill.

MR. DAWSON would bow to the ruling of the Chair. He had only intended to show that crime in the months of October, November, and December was not exceptionally great; and that the Bill had been recommended to the House upon statements and arguments that were entirely fallacious. If the Government could satisfactorily prove that crime was advancing in Ireland, and that outrages were increasing, the House would readily agree with them that a full measure, a long measure, and a severe measure of coercive repression was necessary. But it was a strange proceeding to attempt to justify legislation of this character upon a state of comparative peace and quiet, with rapidly decreasing crime. He hoped the attempt to rivet this measure upon Ireland for many months, when calm, and peace, and quiet were prevailing, would be effectually resisted by the Committee.

MR. T. D. SULLIVAN wished to support the Amendment, because he thought that the shorter the period could be made within which the Bill was to operate the better it would be. He would prefer that the Bill should last for 12 months rather than 18, for six months rather than 12, and for one month rather than six. In point of fact, he believed that no necessity existed for coercion at all.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

Mr. T. D. SULLIVAN resumed. He had been remarking when the count took place, that the shorter the duration given to the Act the better it would be, and he was about to comment upon the fact that all the foundation and necessity for the Bill had absolutely died out. There was no exceptional crime in Ireland at the present time. That was fully admitted. They were told that that was on account of the impending of this Coercion Bill, and because it was known in Ireland that a Coercion Bill would shortly be passed into law. Now, that was not his view of the case. He had always contended that the little outbreak of turbulence that took place in Ireland some months ago was a thing that would pass away of itself—that it was a state of things not destined to last. He had always stated in that House, and so had several other Irish Members who knew something of the condition and character of the Irish people, that it was only a temporary outbreak, which was destined rapidly to pass away, and that the country would very shortly assume its normal condition. He believed that that was the true explanation of the orderly and peaceable condition of the country at the present moment; and he contended that no argument in favour of this cruel, severe, and tyrannical measure could be drawn from the present quietude of the Irish people. Another fact he wished to call attention to was this. The Bill was an assumption that the ordinary law was insufficient to put down the disturbances which had taken place, and to cope with the turbulence of the people. Now, only quite recently they had seen very extraordinary things done under the ordinary law of the land. The country had been absolutely terrorized before the Coercion Bill could be brought into force at all. Arrests were being made, people were being dragged from their homes on the most frivolous pretences; they were being put in gaol, and bail was refused to them. Quite recently, in one of the midland counties of Ireland, 50 or 60 persons were arrested on an alleged charge of riotous proceedings, and were dragged to gaol. Some of these men had to sleep on the bare floor.

The CHAIRMAN: The hon. Member must be aware that he is not speaking to the Amendment, which is simply that the Act shall end in September, 1881.

Mr. T. D. SULLIVAN said, he had intended to direct his remarks towards the duration of the Bill. He was about to show that the shorter period was sufficient for its operation, and that if the period was shorter still, that that shorter period would be sufficient. He was proceeding to show that without the Bill at all the ordinary law was terrorizing the country at the present moment. He wished to know why, if these things could be done now, they were not done months ago; and why the Government had allowed themselves, as it were, to create a case for coercion? Why was not some measure of repression adopted some months ago, such as was being now carried out in Ireland? He was anxious to show that the duration of the Bill should be as short as possible, because under its provisions the people of Ireland were liable to be treated with severe and cruel tyranny. Surely 12 months, with the country in its present quiet and orderly state, ought to be enough for the Government; or even six months, without demanding from Parliament so long a period for the existence of the measure as 18 months. He thought he was quite in Order and speaking to the purpose when he sought to bring to the minds of the Committee the cruelties that would be inflicted under the Bill. It would facilitate evictions in Ireland. It would cause the break up of Irish families. It would drive many young men into exile; many into the poorhouse; many to bankruptcy; and it would cause all the misery which a harsh and tyrannical measure was calculated to bring about. Talking about driving the young men of Ireland into exile reminded him of an observation that was frequently made. It was said that the guilty parties were rapidly clearing out of the country, through terror of the effects of this measure of coercion. He was not prepared to take as an absolute fact, and as a perfectly true representation of the existing state of things, every statement that was made in the course of these discussions from the Treasury Bench. He was not at all sure that it was not a great exaggeration of the facts to say that there was a considerable exodus going on now; but even if it were so, he should be prepared to deny that the young men who were leaving the country had been guilty of excesses. If any of these young men were leaving the country it was because——

THE CHAIRMAN: The hon. Member is going into details upon matters which are not included in the Amendment now before the Committee. That Amendment simply raises the question whether the Bill shall last until September, 1882, or whether that period is an excessive one.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

MR. T. D. SULLIVAN continued his speech. If his remarks were out of Order he would at once desist; but he wished the Committee clearly to understand what his views upon the matter were. He thought that if he could show the hardships that were likely to arise from the operation of the measure, it would be a good argument why the Act should only last until September, 1881, rather than until September, 1882. He thought that was a very fair argument; but if the Chair was of opinion that that view was out of Order he would immediately desist. His sole argument was that the Bill had better be made to terminate in September, 1881, rather than in September, 1882, because its operation would bring about great hardships, and great cruelties, and great injustice, to the people of Ireland. He would not, however, dwell further upon the point. He hoped that he would not be considered out of Order if he were to allude now to a matter which had been referred to by several hon. Gentlemen on the other side of the House. Allusion had been made to the forthcoming Land Bill, and the chances which that Bill would have of being passed in "another place." It was contended that by giving this Coercion Act the long stretch it was proposed to give might act as an encouragement to that "other place" to throw out the Land Bill, because they would have a long period before them for tyrannizing over the tenants and resisting the anger and disappointment of the Irish people. It would therefore be much better to let this measure last only for six months, and allow the responsibility to be on those whom it might concern to pass the good Land Act which the Irish people had been led to expect. One word more. He had heard the right hon. Gentleman the Chief Secretary say that he would never consent to cease protecting life and property in Ireland in September, 1881. Were they really to be told that in September, 1882, the Government would ceease to protect life and property in Ireland if this measure were not in operation? Surely no such thing could happen. Then why should they not have candour, fair play, and truthfulness in the arguments brought forward in support of this measure by right hon. Gentlemen of such eminence as those who occupied the Front Bench on the other side of the House? Life and property had been protected, and could be protected without that Act at all. Life and property could be protected at this moment by the ordinary law; and that being so, he considered it most unjust and unfair, and as well calculated to excite feelings of indignation and resentment among the people of Ireland, to have such terms as those put forward in support of a measure so drastic and tyrannical as that before the Committee.

MR. O'DONNELL said, he had followed the course of the Ministerial argument in support of the Bill, and the only argument he could make out was that by insuring that the Bill should last for 18 months they would save themselves trouble in case it should be necessary to ask Parliament, under other circumstances, to re-enact the measure next year. The Government were not ashamed to place on record that they proposed to suspend the liberties of Ireland unnecessarily for an additional 12 months to save themselves the trouble which might attend the attempt to re-enact the Act next year if that should be necessary. He did not think any proposal more monstrous had ever been submitted to any Assembly. The Liberal Government asked the House, in order to save themselves a certain amount of trouble, perhaps, next year, to suspend the liberties of between 5,000,000 and 6,000,000 of Her Majesty's subjects for an unnecessary 12 months. He hoped, however, that would be taken note of by the Irish people, and that they would bear in mind the little store the Liberal Administration set upon their Constitutional liberties. It ought not to be forgotten by Members of the House that in Committee the Government had not proved the necessity for the Bill at all; and that they had carefully prevented, by the form in which they had pushed the measure through the House, the details being dealt with. He was fairly entitled to ask the Committee to give the Irish people the benefit of the doubt which arose from that fact; and he would remind the Committee of what was the consequence of the ruling of two days ago, which he did not intend to contest, but which had an important bearing on the discussion of the Biil. The Speaker had, very properly, no doubt, ruled that the examination of the Government case, county by county, constituency by constituency, would be out of keeping with the scope of the Bill. The Speaker was perfectly correct; but the Committee could at the same time perceive that when the Irish Members were precluded from examining the case of the Government in that way by local knowledge, by the way in which the Government had navigated the Bill, they were prevented from meeting the case of the Prime Minister; and the Committee ought to bear that in mind, and give the Irish people the benefit of the doubt, and not consider that Ministerial assertions were proved, when there had been no opportunity of meeting them in detail county by county and constituency by constituency. The Irish Members were prepared to meet the Bill in detail; but the Government were obliged to shut out the discussion of it in that way. Though that was perfectly legitimate according to the Rules of the House, it was a practical wrong of the first magnitude to the Irish people. A very strong reason for limiting the duration of the Act was the fact, which should be patent to both sides of the House, that owing to the difficulty of passing a remedial measure adequate to the needs of Ireland, the Committee ought to be very carfeul as to tying down the Irish people in any way which would prevent Constitutional agitation and resistance to existing evils, which the Government said only awaited an opportunity for the application of a remedy. If the House passed the Bill and made it effective until September twelvemonths, during the whole of that time a heavy weight would be pressing on the energy of the Irish people, and the class in Ireland who were most hostile to the liberties of the people would have that additional time to suppress Constitutional agitation and worry them to resistance. The Government might very well adopt the Amendment, which would insure that the Act should last sufficiently long to tide the Government and the country over the period required for the formation and passing of remedial measures, but not long enough to tempt the enemies of the Irish people to throw obstacles in the way of remedial measures, confident that a period of 12 months of unrestricted coercion was before them. It was by no means unprecedented for a Government to make coercive legislation depend on remedial legislation; and he would, in illustration of that, remind the Committee of what took place at the time of the passing of the Emancipation Act. That measure was accompanied by a coercive measure—namely, the Bill for dissolving Catholic Associations. The English Government took care that the Royal Assent should not be given to the coercive measure until they had received a guarantee from the Sovereign that no obstacle would be put in the way of the measure which accompanied that—namely, the Emancipation Bill. Her Majesty's Government, half a century after the passing of Catholic Emancipation, was proving itself more re-actionary, and more opposed to the interests of the Irish people, than the Government of two generations ago. When Irish Members asked the Government to be satisfied with the duration of the Coercion Act until September next, they asked the Government to be satisfied during a period of transition, and to abandon further coercion in favour of the operation of remedial measures. If the Government were obstinate in maintaining that excessive duration of coercion, what conclusion would be forced upon the Irish Members and the Irish people? That the Government doubted the efficacy of their remedial measures. They might either doubt whether remedial measures were now capable of dealing with the evils of Ireland, and if so, they had simply gone over, bag-and-baggage, to the right hon. Gentleman on the Front Opposition Bench. But if they doubted the sufficiency of remedial measures, because they knew that remedial measures would not satisfy the people, then the Irish people must look on the Coercion Bill with additional hostility through the proposal to give it longer duration. Not only did the Government say they were going to give the benefit of the doubt against the people, and to impose excessive duration of coercion in order to save themselves further trouble, but that from their knowledge of the insufficiency of their remedial measures they were prepared to place Irishmen under the heel of coercion, so as to prevent their agitating against the uncertainty and insufficiency of the miserable remedial measures in preparation behind the scenes. Did the Government doubt that in a future Session their followers would be less obedient and obsequious than now? Did they think that the Speaker of the House would show less devotion to the exigencies of Ministerial Business than now? Did they doubt that measures which could be applied against Irish Representatives would be less abundant? They would be able to adopt the plea of urgency and those other patent Mid Lothian muzzles which were placed on the Irish Representatives. In the face of that, where was their excuse for the astounding plea that they were prepared to impose coercion unnecessarily on the Irish people in order to save themselves Night Sittings and late Day Sittings next Session. The plea that in order to save trouble, either to the Government or to Parliament, 5,500,000 subjects should be kept unnecessarily under unconstitutional government, was a most flagrant piece of political effrontery ever perpetrated by a Government, however servile.

Mr. FINIGAN declared that from the introduction of the Bill the only object of the Government had been to refuse to listen to every reason of justice, and every argument in favour of what they had stated. When the Bill was introduced, the Government said it was simply for the punishment of certain persons who were well known to the police for their violence and their suspected incitement to crime. But as the Bill had been forced through the House, the Chief Secretary had constantly changed his ground; and now it turned out that the measure was not merely for the punishment of those people, or the prevention of further outrage, but that it was really and truly a coercive measure to intimidate and terrorize people, and in favour of a class of men who had, by their unjust conduct, brought about whatever outrages had been committed. That was a very unjust principle upon which to base the Bill. If a Conservative Government had done that, the Irish Members would not have been much thunderstruck; but the Liberals, after boasting of themselves as the champions of Liberal government in Ireland, had fallen back on the old principle of what was called the policy of the "base, bloody, and brutal Whigs."

The CHAIRMAN: The hon. Member is not in the least keeping to the Motion before the Committee.

Mr. FINIGAN merely wished to show that the policy of the Government was a base policy, that it was a bloody policy, that it was a brutal policy, and was not carrying out the principles enunciated by the Government when they introduced the Bill.

The CHAIRMAN: That is not the Question before the Committee. The Question is as to the limitation of the date of the duration of the Act, and the hon. Member must keep strictly to that.

Mr. FINIGAN, continuing, said, that to leave such arbitrary power in the hands of the Lord Lieutenant for 18 months was to adopt a step which was unwarrantable tyranny, and totally opposed to the whole spirit of the arguments upon which the Bill had been introduced and forced through the different stages. If the Government wished to set class against class in Ireland, they could not do more to that end than to introduce such a hostile, ungenerous, and illiberal policy as that the Act should be continued for 18 months. If the Government wished the Irish people to believe that they were anxious to do justice to Ireland, they would keep to their word, and make the Bill a measure of prevention, and not of vindictiveness. Either the Government did know that it was acquainted with the different authors of crimes and outrages when it introduced the Bill, or they did not; and he argued that the Government, by its present display of vindictiveness to the Irish people, was showing that they did not know, but had trusted to mere political chance to play a deep-laid game against Irish tenants. He was indifferent whether the Amendment was carried or not, because the Government had made up its mind to listen to no argument or reason, and was bent on carrying out the worst policy in Ireland that was ever initiated by a self-styled Liberal Government.

Mr. A. M. SULLIVAN wished to know on what ground the Government would be ready to drop the Bill in 1882. Would they let it drop on the ground that the country was then peaceable—supposing that was possible? No; judging from past experience, they would say—"Will you take out of our hands a measure which has tranquillized Ireland? See how tranquil Ireland is. Therefore, let us have the Bill for another two years." That had been the excuse in regard to past coercive Acts. But suppose the country was not peaceable in 1882; suppose there were crimes, would not the Government then be able to say—"See how disturbed Ireland is, notwithstanding the Coercion Bill. Will you take out of our hands the Coercion Bill?" They would have the pretext that the Bill must be continued because it had secured peace, or because it had not. But the Government said they did not want the trouble of seven weeks' debate in passing a Coercion Bill again; but they did grievous injustice to the new Rules if they thought they could not under those Rules pass a Coercion Bill in a week. That excuse would not bear a moment's examination, because, by concentrated power for the facilitation of the Business of the House, there was no reason why under properly amended Rules a Coercion Bill could not be passed in a day. But suppose that in September, 1882, the Governments hould honestly contemplate dropping the Act; then, if the conditions should be the same in September of the present year, why should they hesitate any more to act on the conditions of peacefulness in September, 1881, than on the conditions of peacefulness in September, 1882? No; the Government would hold to September, 1882; and, although he should be sorry to become their apologist, he was not sure that they did not deserve some praise for their enormous moderation in not making the period extend to 1892, because, with their majority—and with their benevolent intentions in the shape of coercion—they might have extended the Act till 1892. The Government would carry their clause, and all their Amendments, and so would secure the proud reputation of having carried the most severe and most protracted Coercion Bill ever laid like a lash on the back of Ireland.

Question put.

The Committee *divided*:—Ayes 162; Noes 48: Majority 114.—(Div. List, No. 64.)

The CHAIRMAN: The next Amendment is in the name of the hon. Member for Carlow (Mr. Gray). Its object is to prevent Parliament from continuing or amending the Act at any future time. Such a proposal would put a restriction upon the future action and power of Parliament, and therefore cannot be put.

Question proposed, "That Clause 3 stand part of the Bill."

Mr. GRAY regretted the Chairman had ruled that his Amendment could not be put, because he considered it a perfectly reasonable proposal. The Bill said that the Act should continue in force for such and such a time, and no longer; and he wished to make sure that when that time had expired the measure should not be renewed by a "Continuance or Amendment Act." He was sorry that the Front Opposition Bench was not full, because it would be in the recollection of some right hon. Gentlemen who formerly occupied the Treasury Bench that when the Peace Preservation Act was last renewed there was a very solemn and distinct pledge given to the then Leader of the Irish Party (Mr. Butt) that no Coercion Bill for Ireland would again be passed by way of a Continuance Bill. The whole House concurred in that assurance, and he was quite certain the Prime Minister would recollect it. He (Mr. Gray) was anxious, before this Bill passed, that the right hon. Gentleman or the Chief Secretary to the Lord Lieutenant should give the Committee a similar assurance, especially as the limited time proposed in the Bill had been virtually assented to. There could be no ground of excuse for refusing to give this assurance, which was given by a Conservative Government. He was glad to see the late Attorney General for Ireland (Mr. Gibson) in his place; and he would appeal to him whether this assurance was not given by the late Government to Mr. Butt in 1877, when the Peace Preservation Act was passed. That assurance was acquiesced in, not only by the Conservative, but the Liberal Party; and it was understood that if any measure similar to the Peace Preservation Act were thought necessary at any future time it should be brought in and fairly discussed as an original Bill. If, at the expiration of 18 months, the Government wished to continue the suspension of the liberties of the Irish people, would they do it by a specific enactment, and not by a Continuance Bill? As the late Attorney General for Ireland was the only Member of the late Government he saw in his place who was likely to have any recollection of the facts, he would again appeal to him to state whether such an assurance as he had described was not given in a full House?

MR. GIBSON said, that at the time referred to he was not the Irish Law Officer; but he believed that in 1874, when the Conservative Government came into power, it became necessary to include in a Laws Continuance Bill the expiring Peace Preservation Act. On that occasion there was a conversation, in which the late Mr. Butt took part, and in which the Chief Secretary said that, in the event of his having to come again to Parliament, he would present the Bill separately, with modifications, and not include it in a Continuance Bill.

MR. W. E. FORSTER: I should not have mentioned it if the hon. Member had not brought the subject before the Committee; but it was a matter of public notoriety that my Predecessor, the Right Hon. James Lowther, put into my hands a Bill for continuance of the Peace Preservation Act. I do not know whether the continuation of that Act had received the sanction of the late Cabinet; but that measure was spoken of by my Predecessor as the one that, in all probability, would have been brought in by the Conservative Government had it remained in Office.

MR. CALLAN said, the Chief Secretary knew very well he was not answering the question put to him by the hon. Member for Carlow. Mr. James Lowther—who, in a short time, he had no doubt, he would be able to call the right hon. Member for East Cumberland—would be very welcome in that House, if only to set right the Chief Secretary. He (Mr. Callan) had a distinct recollection of the conversation referred to—a conversation across the Table of the House. It was on record—and what had fallen from the right hon. and learned Gentleman the late Attorney General for Ireland (Mr. Gibson) fully bore out the statement—that, though the measure might be identical with the one last agreed to, it would have been brought in separately, and not embodied in the Expiring Laws Continuance Bill. The pledge which had been made was that there would be no attempt to renew the Peace Preservation Bill by means of a Continuance Bill. As the Chief Secretary to the Lord Lieutenant could not, by the Rules of the House, address the Committee on the subject again, he had no doubt the Attorney General for England would be happy to answer for him on receiving his instructions; but, first, his attention should be drawn to the fact that the measure handed over to the Chief Secretary by Mr. Lowther was not one to be included in a Continuance Bill, but one to be brought forward and passed through all its stages like any ordinary Bill. There was a great distinction between a measure contained in the Expiring Laws Continuance Bill and a Bill re-enacting even every word of a former measure. Would the right hon. Gentleman make a similar pledge to that made by the late Government — one binding them not to attempt hereafter to renew this Habeas Corpus Suspension Bill by a Continuance Bill? If they wished to renew, would they bring it in as a new measure *ab initio*?

MR. PARNELL thought the Chief Secretary had not quite apprehended the drift of the question put by the hon. Member for Carlow (Mr. Gray). What he asked was whether the Government would give the same pledge that the Conservative Government had given with regard to a Coercion Bill. The right hon. Gentleman had replied that the Bill, which was put into his hands by Mr. Lowther, the late Chief Secretary, was in the form of a Continuance

Bill. But the point involved was this—that it was not in the form of an ordinary Continuance Bill, as was that of 1874. He was not himself then in Parliament; but he recollected perfectly that the late Mr. Butt objected to the Bill being brought in in the form of an Expiring Laws Continuance Bill. The Coercion Bill of 1874 was included in that measure. ["No!"] He understood that it was, and that the late Mr. Butt objected very strongly, and took part in several divisions on the question to report Progress when the Committee stage of the Bill was reached; and that that Gentleman received a pledge that when the Bill was about to expire they would not renew it in the Expiring Laws Continuance Bill.

Mr. W. E. FORSTER: I am glad the hon. Member has put it in that way, and, by the leave of the Committee, I will explain. We should never have thought of deviating from the course adopted by the late Government, and I am certainly prepared to give a pledge that we will not. If it should become necessary—which I do not in the slightest degree expect—to renew this Bill at the end of the Session next year, we should not think of doing so by inserting it in the Expiring Laws Continuance Bill. It would be brought in as a separate Continuance Bill.

Question put.

The Committee *divided.*—Ayes 199; Noes 47: Majority 152.—(Div. List, No. 65.)

Mr. O'SHAUGHNESSY said, the object of the clause he was about to move was not to prevent re-imprisonment for any act committed after the release of a person from prison, but to save him from further imprisonment for any act done before his imprisonment. In the case of a person arrested under former Acts, it was provided that under certain circumstances "he shall be entitled to receive a certificate of dismissal." But those words were only applicable where a person had been brought up before some judicial authority, and where the charge against him had been dismissed. In the present case he assumed that the man had been held guilty by the authorities, and that he had been accordingly imprisoned. The word "dismissal," therefore, was not a proper word in this case; and he ventured to suggest, if the clause were adopted, that the words "certificate of liberation" would be correctly used. There was a very analogous precedent for the proposal he had to make in the Peace Preservation Act of 1870, which provided that summary proceedings might take place in certain cases, and allowed Justices of the Peace to punish persons charged with the commission of certain offences. The same in the Peace Preservation Act of 1875. Both these Acts provided that if the magistrates did not find the charge proved they should make out and deliver to the person charged a certificate, under their hands, stating the fact of dismissal. Again, a sub-section to the 26th clause of the Act of 1870 laid it down that every person convicted under the Act should be released from all further criminal proceedings for the same acts. That, of course, did not release the person convicted from further proceedings for any other acts. It was quite true that he proposed to lay down a rule which might entitle a man to receive a certificate of liberation, although he might have committed an act which was not in the eye of the authorities. But there was a good reason for this. What was the intention of the present Bill? It was that a man might be taken up, say on the 1st of May, and without knowing any of the circumstances alleged to have been connected with the offence, and without knowing the persons against whom he had offended, he could be imprisoned without the name of the crime being given. It was not, he thought, asking too much, that when the Executive exercised that power of imprisoning a man for some act not confined to any particular date, they should be restricted in their subsequent operations against that individual after they had liberated him. The Bill, as it stood, gave indefinite power to the Executive; and, unless the clause proposed by him was added, it would be possible for them to go back on portions of a man's life and punish him again under the Act. If, therefore, the Act was not to be abused, a man ought not to be imprisoned a second time, unless, in the opinion of the Executive, he had done some act since his liberation deserving of punishment. The hon. and learned Gentleman concluded by moving, in page 2, after Clause 1, to insert the following Clause:—

(Certificate of dismissal on liberation from custody.)

"Any person who may have been arrested under this Act, on being liberated from custody, shall be entitled to receive a certificate of dismissal, containing the date of such dismissal, which certificate shall be a bar to any subsequent arrest of such person for any offence under this Act committed before the date of such certificate."

New Clause (Certificate of dismissal on liberation from custody,) — (*Mr. O'Shaughnessy,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON) regretted that it was utterly impossible to accept this clause. The precedents which his hon. and learned Friend had cited had no application whatever to the Amendment. They all knew that there was a common principle of law that where a person was once acquitted or convicted of a particular offence he could not be again imperilled for the same offence. But the object of this Amendment was that if a person was imprisoned on a reasonable suspicion of having committed any of the offences with which it dealt—for instance, treason-felony and treasonable practices—and was discharged, he could not be re-arrested when it became known that there was reasonable ground for suspecting he had really committed any other of those offences which it was not suspected he had committed when first arrested. It was obvious that the Government could not consent to that.

MAJOR NOLAN said, if the suspected offender had committed some other offence, such as treason, it would be perfectly open for the Government to proceed against him in the ordinary Law Courts. The Amendment, therefore, did not in any way preclude the Government from punishing an offender for any real offence that could be proved against him. Without going into the legal question matters would stand thus. A man would be arrested under the Act, perhaps on very slight suspicion, or on the fancy of a particular magistrate or farmer; after a lapse of time his friends would, possibly, be able to convince the Government that the man had injured no one, and that the suspicions of the Government were quite unfounded, and he would be set at liberty. Now, when he returned to his parish, if the Amendment were accepted, he would feel himself perfectly safe; but if not he would always be tortured with the belief that the people who had directed suspicion against him might do so again. Another argument in favour of the clause was that under it a man's knowledge that he could not be again arrested unless he did something wrong would be a very strong reason for his not doing anything that would give room for suspicion in future; while if it were rejected it would make people suppose the Government were playing with the suspected person as a cat does with a mouse. This would lead to a most unsettled state of things in country towns when people very frequently quarrelled about elections to local offices and kindred matters, and where, consequently, a man desirous of getting elected would, perhaps, feel that his political enemies might get him locked up again. If the sbject of the Government was to make this a practicable Bill he thought the clause should be accepted. It seemed to him that those in charge of the Bill, being taken up with general ideas as to how it would work, had overlooked the state of society in Ireland—that was to say, they had taken no notice of the petty quarrels between one class of the people and another. It was in those petty quarrels that the Bill would be used as a lever; and the Government, in his opinion, ought to do everything in their power to prevent it being applied in that way.

MR. A. M. SULLIVAN pointed out that there was a difficulty with regard to this Amendment, inasmuch as nobody could tell for what offence a man had been arrested in the first instance; and therefore a man arrested for the third time would not know for what he had been arrested. There would be no indication given to anybody as to the reason why he was arrested, and consequently a person on being re-arrested could make no defence whatever, because he was not allowed any clue as to when and where he committed the act for which he had been previously arrested. His hon. and learned Friend (Mr. O'Shaughnessy) clearly considered the Bill less severe than it really was and it had thereby done great injustice to the character of the measure and of the Government who introduced it.

Question put.

The Committee *divided*:—Ayes 46; Noes 259: Majority 213.—(Div. List, No. 66.)

THE CHAIRMAN: The next clause stands in the name of the hon. Member for Northampton (Mr. Labouchere). This proposed new clause, and the two following clauses, are irrelevant to the subject-matter of the Bill. I must remind the Committee that last Session it had been originally proposed to introduce clauses of a like character into the Relief of Distress (Ireland) Bill, to which they bore a closer relation than they do to the present Bill. After full consideration it was held that such clauses could not be introduced without an Instruction from the House. Not only were they beyond the scope of the Bill, but they amended the Irish Land Act, 1870, an object which had not been contemplated when the Bill was introduced. They were, therefore, brought in as a separate Bill. The same objections apply still more strongly in the present case; and I must rule that the proposed clause, and the two which follow it, cannot be brought up. The next clause is in the name of Mr. O'Sullivan. It refers only to a prison rule, and the Committee have already decided that prison rules cannot be further discussed

MR. O'SULLIVAN: I am quite satisfied to withdraw it.

THE CHAIRMAN: The next Amendment is in the name of Dr. Commins. For the same reason as I gave in the case of the Amendment of the hon. Member for Northampton, it cannot be brought up. This is a Bill which is limited to actions of a criminal character, while this clause interferes with civil process. The next Amendment is by the hon. Member for Carlow (Mr. Gray). With regard to this I have to observe that the Bill before the Committee is temporary, and exceptional in its operation. The clause now offered repeals certain permanent Acts of the Criminal Law of the country, forming parts of the general law of the land. Such an enactment would be beyond the scope and objects of the present Bill. It cannot be entertained by the Committee. The next Amendment is in the name of Mr. Healy. A similar Amendment was brought in by the hon. Member for Galway and negatived; and therefore it cannot be put. The next Amendment is by Mr. Blake. This also is simply a question of prison rules, and has already been dealt with in a sub-section. The next Amendment is in the name of Mr. Callan. It has been substantially discussed by the Committee, and negatived three times.

MR. CALLAN: I rise to Order. [*Loud cries of* "Order!"]

THE CHAIRMAN: Twice in the case of warrants, and twice in the case of information to be laid before Parliament, and having been substantially negatived it cannot now be put.

MR. CALLAN said, he wished respectfully to ask the ruling of the Chair upon this ground. The clause objected to had regard to sworn informations by two people. The others were that those informations should be furnished to the parties. His clause was that no warrant should be effective except on sworn information. He would leave the matter to the Committee, and ask them to reconsider whether it was substantially the same, or whether it was not different from the former Amendments.

THE CHAIRMAN: I have already ruled that substantially it has been dealt with already, and negatived three times. It cannot be put. The next Amendment is in the name of Mr. Callan, and is in Order.

MR. CALLAN said, that the Resolution which stood next in his name was his, according to priority on the Paper; but he would waive his right to speak in favour of the hon. Member for Limerick.

MR. O'SULLIVAN, in rising to propose the following Clause:—

(Person making arrest must be possessed of warrant.)

"That no arrest shall take place in any part of Ireland under this Act, unless the warrant of the Lord Lieutenant is first had and obtained, and in the possession of the party making the said arrest,"

said, that in moving that clause he felt bound to do so because of its importance. Its object was, that a person making an arrest of a prisoner should have authority from the Lord Lieutenant, by way of warrant, before he could make it. In 1867, over the greater part of the country hundreds of persons were arrested. There was no authority whatever for it. The authority was afterwards sent from Dublin Castle some six or eight days after the arrest. It was most improper. No matter whether the prisoner were guilty or not, provided the arrest was ordered by a magistrate, he was taken into custody. The magistrate or police officer was liable to a civil action for wrongful arrest, under the ordinary law; but under former Bills, even where there was not a scintilla of evidence against a prisoner, in order to save the police officer or magistrate from such action, a warrant was got down from Dublin Castle. He himself had been arrested without any authority, and carried 20 miles on a winter's night to Limerick, and charged and brought before a police officer. The police officer committed him to prison, and eight days after that a warrant was obtained for his detention. He put it to the Committee, was it fair to allow that power in the hands of magistrates and constables, to arrest whoever they pleased, and then appeal to Dublin Castle to save themselves from civil action? He thought that the Amendment was reasonable and fair, and did not interfere with the Bill. It would do no harm to the power of the Lord Lieutenant or the Chief Secretary. His only object was to take power out of the hands of the tyrants of the different villages.

New Clause (Person making arrest must be possessed of warrant,)—(*Mr. O'Sullivan*,)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON): This matter is already provided for. It would be entirely illegal to arrest without a warrant. The hon. Member asks that it should be inserted in the Act that no arrest shall take place in any part of Ireland, unless the warrant of the Lord Lieutenant be first obtained. I would remind him that no arrest can be made unless the Lord Lieutenant first issues his warrant in the form provided as required by the Act. That matter, therefore, has already been provided for by the Committee. The clause proposes also that the warrant should be in the possession of the party making the arrest. The Committee have provided that a copy of the warrant for arrest shall be given to the person on the occasion of his arrest. I hope that my hon. Friend will be satisfied with that.

MR. LEAMY was surprised that the Committee had arranged to give a copy of the warrant to the person arrested. The copy was to be filed in certain offices, he understood. The hon. and learned Gentleman said that it was to be given to the person arrested.

MR. W. E. FORSTER: It will be filed in the proper offices.

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Two things are necessary at the time the arrest is made. The Committee have provided that a copy of the warrant shall be given to the person, and, in addition, there is the provision that a copy shall be filed with the Clerk of the Crown of the County of the City of Dublin, and that another copy shall be filed with the Clerk of the Crown of the County in which may be the place where the person arrested last had his place of abode.

MR. W. E. FORSTER: My hon. and learned Friend is quite right as to the arrangements which have been made. One of the Amendments promised by me on Report is to the effect that a copy of the warrant shall be given to each person on the occasion of his arrest.

MR. O'SULLIVAN said, that as the Amendment then stated by the right hon. Gentleman the Chief Secretary was almost the same as his own, he begged leave to withdraw the Amendment then before the Committee.

THE O'DONOGHUE said, that, at any rate, the discussion that they had had had not been in vain. It was quite evident that a different view was entertained by certain magistrates through the country. He wished to recall to the Government a statement made by a resident magistrate, a few days ago, that—

> "He did not want to threaten; but he would allow no man to go through the country while he was in charge of it."

He was evidently alluding to this Bill, for he said—

> "Any man who, in future, attempts to address any meeting, I will at once have arrested. Then, let him bring on his action against me in the Court of Queen's Bench, and get out if he can."

He was glad to find that no magistrate would now be able to do that.

Motion and Clause, by leave, *withdrawn.*

THE CHAIRMAN: The next two Amendments are in the name of Mr. Healy. The first clause proposed is inconsistent in two important points with clauses which have been already agreed to by the Committee. It proposes to limit the area in which a person can be arrested to the evidence of being seen within two miles of the place were the crime was committed; whereas Clause 1 puts no limit of space to certain classes of crimes, and limits another class to a prescribed district, the size of which is to be determined by the Lord Lieutenant. This clause, as well as the following one, requires the intervention of a magistrate before execution of the warrant, and in this respect is inconsistent with the power already given to the Lord Lieutenant. It cannot be put. The next Amendment is quite in Order.

MR. HEALY begged to move the following new clause:—

(Threats by Government Officials.)

"That any policeman, magistrate, or Government official, seeking to deter any person from doing anything which he is by law entitled to do, by threatening him with pains or penalties, or any pain or penalty, under this Act shall be guilty of a misdemeanor, and be liable upon conviction to any penalty not less than six months' imprisonment, at the discretion of the judge before whom such offence shall be tried."

That Amendment, he thought, should be adopted, to prevent the illegal action taken by the Government under that Bill. The Bill provided for the detention for 18 months of anyone alleged to have committed a crime. What they apprehended was that this Act would be used by the territorial class in Ireland to prevent persons from doing things which, by law, they were entitled to do, but which were distasteful to that class; therefore, he had put down the Amendment, and he should feel obliged if they would take that power out of the hands of the policeman and the magistrate. The Government must provide proper protection. These magistrates were always landlords, and acted unfairly towards the people of the district. They had got up a state of panic in the country, and then induced the Government to bring in that Bill. What they were afraid of was that anyone who should venture to place himself in opposition to the aristocrats of the country would be at once threatened with pains and penalties under that Act. He had known of instances such as those to which he was alluding on the estate of the father of the noble Marquess (the Marquess of Hartington). Before the land agitation the understrappers of the Duke of Devonshire went about from one person to another and told them that the local farmers' club was obnoxious to his Grace. The father of the noble Marquess was an excellent landlord. On his estate there had been no cases of eviction. He treated his tenants very fairly; and the only cases in recent years where evictions had taken place were those in which they were perfectly justifiable. He should not be doing himself justice if he did not say that, with regard to the noble Duke, he had nothing to say to his discredit; but, on the contrary, everything to his credit. His point was this—that when a harmless institution, such as a local farmers' club, was instituted, it ought not to be broken up simply by the meddling of the understrappers of landlords. If the Act stood in its present state, without that Amendment, such persons as the understrappers of the landlords would be able deliberately to intimidate the people. He had not much experience in drafting Resolutions and clauses, and if the Amendment were not in a proper form he should be glad to have it modified, so as to meet the views of hon. Members. As a rule, hon. Members in that House did not understand the circumstances of the localities in Ireland. There were isolated villages 50 miles away from any railway station, where a stranger was never seen, nor a newspaper, and where the bashaw was the local head constable, the great man of the district, whose word was law. In those villages the constables ruled with uncontrolled sway, and the people, threatened as they would be under that Act, could not be persuaded that no harm was meant to them. They were practically at the mercy of the local magistrates, and, therefore, the Amendment ought to be accepted. The Government had refused to change in any degree the character of the magistracy. They were always members of the territorial classes, and often decided on cases in which they were more or less directly interested. In many cases which occurred with regard to the land there was no defendant. The defendant was, in fact, sitting on the bench. He would give one instance. A magistrate named Barrett was the agent of Lord Kenmare. He had, in many cases, confiscated the property of the tenant, and in this particular case to which he now alluded, he had turned a poor woman out of her home, and, with the aid of the police, had got up a fictitious charge against her; and as she did not know a word of English, she was entirely at the mercy of that man and the local Court. Under that Bill, on the most frivolous charge, such a person might be put in gaol for almost an indefinite period, and it was to prevent such action as that that he was induced to move the Amendment.

New Clause (Threats by Government officials,)—(*Mr. Healy,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson): I really must it put to the Committee whether it is a fair and reasonable thing to attack an absent man in the way which the hon. Member has done. He has referred to a particular Nobleman. I happen to have spent my early days in the neighbourhood of part of that Nobleman's property, and neither he nor his predecessor could be considered an absentee landlord. I think that if anything were said with regard to the noble Duke it should have been to his credit, and not to his disparagement; but, as I understood the speech of the hon. Member, it was quite the reverse. With reference to the other magistrate, I know but little about him; but I certainly think it is going too far to assert that any magistrate would get up a fictitious case and decide it himself upon the Bench. In the absence of what may be stated on the other side, I must ask the Committee to withhold their judgment upon any assertion of that kind. Coming to the Amendment the hon. Member proposes, I entirely concur in the object he has in proposing it; but it appears to me that that object ought to be segregated from the imputation he seeks to convey. With reference to magistrates, it must be understood that there is no magistrate in Ireland who is a Government official. If any magistrate was guilty of an offence such as that alluded to, he would be liable to criminal proceedings as well as an action. Therefore, we can eliminate magistrates from the clause. The hon. Member also proposes that no Government official should be allowed to deter any person from doing anything by threatening him with pains and penalties under this Act. That is already provided for by the Act 38 & 39 *Vict.*, c. 86, s. 7. It is there provided that any person who shall be guilty of such an act shall be liable to a penalty not exceeding £20, or imprisonment not exceeding three months, with or without hard labour. Therefore, so far as that part of the clause is concerned, it is already provided for by statute. I do not think that the Amendment can be accepted.

Mr. HEALY said, he rose to make a personal explanation with regard to what he had stated about the Duke of Devonshire. He would state that he had never uttered a word against him; everything that he had said was in terms of the highest praise. He had carefully avoided saying a single syllable of discredit with regard to the noble Duke.

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson): Perhaps I shall be permitted to say that I cannot accurately have caught what fell from the hon. Member, and I beg to be allowed to withdraw what I said, having said it under a misapprehension.

Mr. T. P. O'CONNOR thought that the speech of the hon. and learned Gentleman who had just sat down was one of the most irrational addresses that he had ever heard. When he withdrew the charge he had made against his hon. Friend, it was a pity he had not withdrawn the whole of his speech. The hon. and learned Gentleman had wasted a good deal of the small amount of time still left to the Committee for the consideration of the Amendments, or still left to those hon. Members who wished to discuss the measure with the seriousness which it required. The Solicitor General for Ireland had said that this clause should be segregated from the rest of the Bill——

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson): I said nothing of the kind.

Mr. T. P. O'CONNOR must ask the protection of the Chairman. He had understood the Solicitor General for Ireland to say that the clause should be "segregated" from the rest of the Bill, although he (Mr. O'Connor) did not profess to know what the hon. and learned Gentleman meant by "segregated." Whether it were segregated or not, he would be able to show, to the satisfaction of the Committee, that the clause was necessary, in spite of what was in the Bill. As the Bill at present stood, any person who was supposed to be reasonably suspected of being guilty of intimidation was liable to imprisonment; "and," said the hon. and learned Gentleman, with a tone of *Nisi Prius* triumph, "the measure has already provided for what the hon. Member proposes." ["No, no!"] If his hon. Friends around him would allow him to argue his case his own way he, perhaps, might be able to take care of his own argument. The hon. and learned Gentleman had said that the Bill dealt with cases of intimidation already. [The Solicitor General for Ireland: No, no!] If the hon. and learned Gentleman did not say that he was not sufficiently acquainted with the terms of the Bill, because the measure did deal with

> "An act of violence or intimidation, or the inciting to an act of violence or intimidation, and tending to interfere with or disturb the maintenance of law and order."

The hon. and learned Gentleman, if he had argued the case as well, perhaps, as he (Mr. O'Connor) would have argued it for him, might have said—"As this Bill already provides against intimidation, where is the necessity for the new clause proposed?" He might have said—"If you can give a man 18 months for an act of intimidation, what is the use of proposing an Amendment to give a man six months' imprisonment?" That he took to be the first objection to the Amendment, and the next was that the ordinary law, apart from the extraordinary law of the Bill, already dealt with cases of this kind. "Because," said the hon. and and learned Member, "there is a statute which inflicted a penalty of £20 or three months' imprisonment upon anyone who intimidated or hindered anyone in the discharge of his proper duty." ["Question!"] If his remarks were allowed to reach the Chairman's ears, it would be found that he was adhering with extraordinary fidelity to the subject before the Committee. His answer to the argument the hon. and learned Gentleman used, or might have used, was this—that the ordinary law which provided for an act of intimidation only a penalty of £20 or three months' imprisonment was insufficient to meet such a gross case as that mentioned by his hon. Friend. £20 or three months' imprisonment was not enough punishment for any—

> "Policeman, magistrate, or Government official seeking to deter any person from doing anything which he is by law entitled to do."

Even six months' imprisonment would be too little for any policeman, magistrate, or Government official who used the coercive measures placed into his hands by this Bill in order to prevent honest people from obtaining their rights against the Government and the landlords. "Oh, but," said the hon. and learned Gentleman, "the magistrates are already dealt with, because no magistrate is a Government official." He had been called to Order a few minutes ago for saying the speech of the hon. and learned Gentleman was irrational; but what could the Committee think of a speech in which it was stated that the magistrates were not Government officials, and that in the face of the large number of stipendiary magistrates in Ireland? Every stipendiary magistrate in Ireland was a Government official; what, therefore, could the hon. and learned Gentleman mean? Some of these resident magistrates were the worst of all magistrates. It was one of these whose conduct had been brought before the House, and over whom the Chief Secretary had thrown the radius of his protecting wing by taking up his contradiction which had appeared in the newspapers. In place of none of the magistrates in Ireland being Government officials, many were such, and it was essential that the people should be protected against them. A Representative of the Government had spoken feelingly about attacks on absent men; but the Irish Members could not forget the attacks made by the Chief Secretary against a certain class of absent men—against the priesthood of Ireland, and still less the attack he had made upon the women of Ireland, in the shape of his refusal to accept the Amendment to exclude women from the operations of the Bill. He (Mr. O'Connor) had at least caught the observations of the Solicitor General for Ireland sufficiently to know that he had said nothing about policemen. Did he mean to deny that a good many of those officials would seek to levy black mail upon the honest and law-abiding people in the towns? Did he mean to deny that the police and the magistrates would endeavour to make use of the Act for purposes of their own? Already the magistrates, not having the patience to wait for the passing of the Act, were riding rough shod over the people, and were saying that, now they had got the Government on the side of the landlords, the Land Leaguers must take care, or else they would be imprisoned. The reason his hon. Friend had brought forward this proposal he took to be this. They all knew that a crime committed, the crime which was committed by an ordinary individual not very grave in its character, became far more heinous when committed by an officer of the law, who was the natural guardian and protector of the law. A burglary committed by a policeman was far more heinous than a burglary committed by an ordinary individual, and in the same way a threat used by a magistrate or a policeman was far more serious than one uttered by an ordinary individual, hence the necessity for bringing the conduct of these officials under the ordinary law, so that the ordinary law might be able to deal with it. He had laid before the Committee most of the arguments that occurred to his mind at this moment. There were several others he might use, but he was anxious to save the time of the Committee, and enable the right hon. Gentleman opposite, whom he knew would not occupy too many of their precious moments, to reply, and, by accepting the Amendment, give them something like a rainbow of peace with which to conclude the proceedings.

MR. CALLAN said he had heard with great surprise from a Representative of the Government that the magistrates in Ireland were independent of the Crown. That was a statement that would not go down in Ireland, however it might be received by the Committee. At Drogheda within the past few days, a resident magistrate had stated most distinctly to the local magistrates that he was not acting on his own responsibility, but under the direction of the Irish Executive. Was that independence? He was acting not as a magistrate in the exercise of his own discretion, but as a representative of the Crown. Everybody knew that the resident magistrates were the tools and slaves of the Government, and the more unscrupulous tools and willing slaves they were the more chance they had of advancing to a higher grade. The clause was one which only within the last few minutes had struck him very forcibly as being a most important one. It said that any magistrate who threatened a person—

> "With pains or penalties, or any pain or penalty, under this Act shall be guilty of a misdemeanor, and be liable upon conviction to any penalty not less than six months' imprisonment, at the discretion of the judge before whom such offence shall be tried."

Well, a short time ago the resident magistrate of Dundalk stated that he would arrest any man who delivered a speech at a Land League meeting, and that he would refuse bail to anyone so arrested. Within the last few minutes he (Mr. Callan) had received a telegram which placed him in a very awkward position, and which would show the Committee the absolute necessity for some such clause as the one proposed, which would punish a policeman, magistrate, or Government official, for seeking to deter any person from doing anything which he was by law entitled to do. This telegram was sent from Dundalk, the capital of the county he represented, at 11 minutes past 10 to-night. It was addressed to him, and said—

> "The Committee of the Dundalk Branch of the Land League, acting on the advice of Mr. Parnell, have called a county demonstration for Sunday next at Dundalk, and urgently request the honour of your attendance. A reply will oblige."

Mr. Clifford Lloyd, the magistrate of that district, who had declared that he would arrest anyone who spoke at a Land League meeting and refuse bail, must be in an awful state. Was it not necessary that well-intentioned people who attended these meetings, and people of common prudence, should be protected against arrest by Mr. Clifford Lloyd. If he (Mr. Callan) went to Dundalk next Sunday and addressed the Land League meeting, he might be arrested and detained without bail, and he therefore wanted this clause passed to protect himself. [*A laugh.*] The hon. and learned Gentleman the Solicitor General for Ireland laughed at this, and no doubt would think it a joke if he (Mr. Callan) were arrested; but it could hardly please the hon. and learned Gentleman, although it might be a source of gratification to Mr. Clifford Lloyd. ["Question!"] This was the Question. No argument in favour of the clause could be stronger than the telegram which had just been placed in his hands. He should regard it as an encouragement to Mr. Clifford Lloyd to continue in his present course if the Government refused to accept the Amendment. At any rate, if there was anything which could bring him to undertake the journey of 400 miles between London and Dundalk, it would be that he might show his defiance of the Coercion Act.

MR. DALY thought there was more in the Amendment than appeared at the first blush. No one could deny that amongst Irish magistrates like himself, there would be an undue tendency to make a violent use of the powers intrusted to them under this Act. With the subject dealt with by the Solicitor General for Ireland in his closing observations he had nothing to do; but it was a matter of history, and a matter of well-known history amongst persons who resided in his county, that the magistrates were not always disposed to make a proper use of their powers. When the hon. Member for Wexford (Mr. Healy) was brought before the magistrates in a case with which, to say the least of it, Mr. Barrett had a very important connection, it was on record in the public prints that Mr. Barrett was asked once, twice, three times to come off the Bench, and not adjudicate upon the question. That, he thought, was a fair reason for arguing that there was a little bias amongst magistrates in troublous times. The hon. and learned Solicitor General for Ireland made a statement which he took leave, from his own experience, to contravene. He had denied that it was the practice of the police to intimidate people; but it was the fact that if the hon. Member for Carlow had appeared in the City of Cork with a square-toed boot and an American cut of beard in 1867 he would not have been safe. The police exercised the most arbitrary powers, and if this Act was to preserve law and order in Ireland, why should not the clause be inserted to protect people against them, and against the magistrates and other Government officials? Was there any reason why magistrates should be exempted from the operations of the Bill? His recollection of law and order during the time of the former Coercion Bill was, that a perfectly innocent man might be taken off the streets and brought before the magistrates, and the policeman had only to say that he wore a pair of American boots and had his beard trimmed in a certain way to obtain a remand for eight days. The Amendment could do no harm to anybody, and would be a protection to the classes on whom this coercive law would press most severely.

MR. FINIGAN was surprised that the Solicitor General for Ireland should have asked the Committee to pay any attention whatever to that part of the Amendment which dealt with offences under the Common Law. He should have thought that no Member of the Government would have dared to have introduced, at this stage, any consideration bearing upon the ordinary law, because, since the introduction of this Bill, the Government had totally given up the ordinary law, and had replaced it by a measure of arbitrary power and tyranny. He was surprised that any Member of the Government should have adduced legal reasons for what he must term an illegal measure. But he was also very much surprised to hear a Member of the Government state that magistrates were not Government officials. Why, the whole system of the Irish magistracy was based on officialism of the very worst kind possible, and the Irish magistrates, to a very large extent, were but a reflex of Dublin Castle, which, in its turn, was but a reflex of an old, effete despotic policy. In the very county with which he was connected he was sorry to say that, whilst there were two or three landlord magistrates whom he knew would not use any power which they possessed as magistrates to coerce their own tenantry or to lend themselves to the coercion of any people whatever, there were several others whom he could name, but would not, who were now carrying out evictions on a very large scale, believing, as they did, that under the terror of this Coercion Bill their action would be allowed to go unchallenged. He would ask the Committee whether it was going, with its eyes open, to allow men, who held the position of magistrates, and who were well known to be unjust men, to escape this slight penalty—this punishment for misdemeanour of which their unjust conduct ought to render them guilty? The Government, if they would accept the Amendment, would be conforming to the most ordinary law under a most extraordinary Act; they would give the people of Ireland some confidence in the administration of a very unjust measure. He did not wish the Government to accept the Amendment now, but to bring it upon Report; and he trusted hon. Members on both sides of the House would impress on the Chief Secretary the desirability of recognizing its principle.

MR. A. M. SULLIVAN said, the Amendment of the hon. Member for Wexford (Mr. Healy) raised a much more serious question for the Committee than many Members seemed to suppose, because it brought distinctly under notice, on the occasion of the passing of this Bill, the system of terrorism which undoubtedly did prevail at a time like the present, on the part of the police in Ireland. This system of police terrorism, for the purpose of suppressing legitimate public effort and agitation in the country, would be bad enough with the ordinary protection of law afforded to the people of Ireland; but that system of terrorism would be insufferable if it were to be allowed to continue at a time when all Constitutional protection was taken away. For his part, he would say on this occasion, as he had said upon others, that, having an anxiety that the people should remain upon the open platform of political agitation, he viewed with the most serious apprehension the conduct of the police during the existence of this Act. The police would only have the idea of suppressing public utterances. Public action, to them, would seem very inconvenient. Their conduct would have the effect—which short-sighted officials like the police would not perceive—of banishing expressions of political feeling from the public street and public platform, and driving the people into secret discussion and conspiracy. Unfortunately, they were not left to speculation as to what was likely to occur with respect to them. He received a letter last week from the capital of the county he represented, in which complaint was made by two respectable residents of the town that already, on the presumption of the passing of the Bill, two police officials in the town of Trim had been going round the town and menacing individuals, and threatening them they would soon have them under lock and key. It was bad enough that the people of Ireland were to be prevented from public and legitimate political movements when the Act took effect; but it was intolerable that village policemen should forestall the Act of the Sovereign and put it into operation, as they had done in Trim. Ten days ago he had received a letter from a Roman Catholic clergyman in London, complaining that already, by the Irish trains and boats, there were arriving in London numbers of innocent, well-conducted, and harmless young men, who had been scared and driven from their homes by the visits and threats of the police. If policemen must visit the homes of people, let them do it when they had the Bill in their pockets as law. But it was unbearable that the Bill should be forestalled by the tyrannical action of policemen in the Irish villages. Policemen were exercising terrorism; and if that was to be allowed before the Bill became law, what would they not do when they had the Act in their pockets? There was not an intelligent young man in a village in Ireland who was not obnoxious to the authorities. They would be subjected to the terrorism of the police; and, it might be, this terrorism would be more meanly exercised upon his parents, who would be visited and threatened. He would give an instance of that, in which a publican holding a licence in Ireland had been threatened as to the renewal of his licence, because of the conduct of his son. One of the pieces of evidence given by the Solicitor General for Ireland at the trial was that one of the speakers had said at a public meeting that many a good father reared a bad son. That might be; but it would be a monstrous thing if policemen were to be allowed to threaten and intimidate fathers and mothers because of the conduct of their sons. He could only say that if the Committee would look a little ahead as to what might be the effect of scaring people away from public and legitimate agitation, they might even yet pause a little. Hon. Members might ask what effect the new clause would have. It was already, under some Acts, supposed to be an offence to threaten any person in order to deter him from what he was entitled to do, or to induce him to do something else; and he urged that in this Bill, so exceptional in its character, which was stripping the people of all protection, there should be one clause or one line that would be an additional assurance, even if they had some assurance of protection already. He would point out another reason why police terrorism, which was aimed at in the Bill, ought to be stopped by some expression of the mind of the House on the Bill. If the Government were in earnest in some of their measures foreshadowed as likely to be introduced in the coming Session, they would need the support and sustainment of honestly expressed public opinion in Ireland as well as in England. He warned the Government that they would be playing into the hands of the enemies of their own measures if, instead of encouraging the people in honest agitation, they thus did their utmost to strangle all public life in Ireland. They would not succeed—he hoped that would be in despite of the Bill, and not because of it—without some such clause as that which his hon. Friend proposed. He would point out to the Government, in the cases he had named, and by the experience of past years in Ireland, that no benevolent intention in Dublin Castle could prevent the intimidation that would be put forth on the peasantry of the Western counties by the Pashas, in the name of magistrates, who ruled them, and the myrmidons that dogged them in the guise of policemen. He would not, however, make that reflection on the police without guarding himself to this extent—as a body, the Irish police deserved no such character, and he at once conceded that, as a body, they were a most respectable and trustworthy force, and discharged duties of a painful, difficult, and often absolute character with, on the whole, great moderation; but a sufficient majority differed in that character, and justified him in saying that he would not allow a Bill like that to pass without urging the insertion of some clause that would secure his constituents against policemen who threatened them with soon putting them under lock and key. He had seen two conspiracies in the short period of his public life in Ireland; it had been his fate to incur unpopularity and personal danger in resisting them, and he had a good right to speak as he had spoken. His hon. Friends knew that he had some right to feel hotly and warmly with regard to a Bill which, he believed, would drive the people back into the conspiracies from which he had laboured so hard to save them.

Sir JOSEPH M'KENNA said, he understood from the hon. and learned Solicitor General for Ireland that he considered the acts complained of should be guarded against by the Government; but that already the object of the Amendment was met in the Bill. If that was the case he had no doubt the hon. and learned Solicitor General for Ireland had given proper consideration to the subject before he made an answer of that kind, which appeared to be, in the main, quite satisfactory. That was to say, it was fairly an answer to the clause before the House; but what he wished to impress upon the Government as necessary was that it should give authority, in some form, to the local authorities to prevent the Bill being anticipated by the action of zealous policemen or magistrates. He himself was a magistrate, although, perhaps, not as efficient a magistrate as he should be owing, to the many other occupations he had; but he knew there were in remote districts in Ireland gentlemen, otherwise most estimable, who believed that law and order could be best carried out by showing great efficiency in the police. He was not one of those who would stand up for the local Land League; but he considered it would be the greatest possible injury to the peace of Ireland if any unjust measures were countenanced by the Government in order to put a stop to the Land League. He would say, let them stand by the law and abide by the Act. If the clause were pressed to a division he should vote for it; but he thought it would be altogether unnecessary if instructions were given from Dublin Castle that the Government would expect every man to do no more than his duty. There was no doubt that every official would do his duty in vindication of the law, particularly when he got the *mot d'ordre* of the new Act. But what he wished was that strong instructions should be issued that any official going beyond the Act would not meet with reward, but rather with punishment.

Mr. O'DONNELL believed that if the Government would accept the proposed Amendment, or would frame, or would promise to frame, a clause of their own dealing with the evil in question it would do a great deal to neutralize the effects of the coercive measure. The Government assured the House that the Bill was necessary for the preservation of law and order, and the Irish Members would be more ready to give some credence to that statement if, along with the measures which they thought necessary for preventing disorder by dissolute and disorderly classes, there should be some distinct and definite means adopted to prevent terrorism by the official opponents of terrorism. Her Majesty's Government—and he would say, in a special sense, the English portion of Her Majesty's Government—ought to be particularly careful to provide safeguards against such a misuse of the powers of the Bill. The Irish supporters of the Government in their present policy would be quite prepared to take odium so long as they could enjoy the advantages of coercion. But long after the satisfaction of the supporters of the Government had died away, the mischief of English rule would remain, and every act of cowardly oppression and technical tyranny committed under the Bill would redound to the discredit and injury of the English in Ireland. For that general reason he hoped some voice would be raised from the Liberal Benches opposite in favour of a strict tying up of the hands which would be armed with enormous powers under the Bill. The proposed clause dealt very fairly with threats of three kinds—threats by policemen, threats by magistrates, and threats by officials. He believed that the danger of an improper use of the Bill by the regular official class was the least portion of the terrorism. The officials, as distinct from magistrates and policemen, were not so much under temptation; they had their work in the ordinary Government routine, and they had nothing to gain by misusing the powers they would have. But though he would yield to no man in speaking of the respectable character of the police as a body, his experience confirmed him in the view that the Police Force ought not, in the first place, to be subjected to temptation under the Bill, and then that the Government which subjected the policemen to such temptation should help them to bear the burden of their duties by placing them under sufficient safeguards and protection in order that they might discharge their duty in an efficient manner. The Committee ought to know that there were no safeguards in Ireland against the exercise of excessive power by the police, because the police were not a local force. They were an Irish force; but in each district or county the resident Police Force was carefully selected from elsewhere. In consequence of that, and he would ask the attention of the Chief Secretary, who was probably unacquainted with the fact, the police was carefully separated from home tendencies, and were under none of the checks of home influence to moderate their exercise of excessive powers. In England the police exercised their power among their friends and relatives, and it might be taken for granted that in few cases would they exercise their power unduly; but in Ireland—in the county Galway, for instance—the local Police Force, which would exercise powers under the Act, and who might be tempted to push their powers to the length of terrorism, were gathered from the North or from the East. It was part of the policy of Her Majesty's Administration in Ireland to place, for instance, in every Catholic county, a force of police gathered from a Protestant county. Under ordinary circumstances, and for the purpose of preventing ordinary crime, he should not object to that; but when it was a political question, and when the police were tempted to act on their political bias, and were tempted by rewards—for they knew that rewards were given after the Fenian agitation—they would be under a stimulus to use their power, and, in the interests of what they considered law and order, to do what in the minds of the people would be to terrorize and to make their lives miserable if they ventured to show in any respect manly independence or to act as Englishmen would. He objected to the clause to this extent—that he believed the punishment ought to be much more severe than was proposed, for if they were to adopt the theory of the Government, the more severe and the more crushing the penalties that were passed against the undue exercise of power by the officials the more probable it would be that the police would take care not to bring themselves within the most distant reach of such penalties. Every petty act by an official might create an evil comparatively trifling in itself; but when the evil was referred to the Government, who were responsible for all, it would become a lever of great magnitude, because it affected the whole system of government in Ireland. In regard to the third class, the terrorism of the magistrates, he would say that he by no means joined in the outcry against the Irish magistrates generally, for a large number of them were upright and honest men, but in a case of this kind the system should be decided by the worst and the weakest; and as they knew the Government were not contemplating a wholesale suspension of magisterial power, there was a danger of their power being exercised in a wrongful way. What guarantee was there that the power of threatening and of arbitrary arrest would not be held over the heads of poor tenantry to compel them to pay exorbitant rents? He knew the Government would regret very deeply such an exercise of power as that; but the Government must receive the words of magistrates; and, unless strong penalties and a prospect of severe punishment against the abuse of power were put in the Act, the magistrates would be able to abuse that power. They would have an enormous power of threatening under the head of suspicion of treasonable practices. The Committee had, at a former stage, refused to define what treasonable practices were; they left them as vague as possible; and he maintained, when it was asked that an indefinite body like the magistrates should be empowered to exercise such powers, the Committee, by virtue of its concession to the Government, was bound to make a concession to the Irish people. The Committee trusted in the Government; but the Committee declined to impose the slightest limitation on the Government. The Committee had given full powers to the magistrates to charge any man on a vague suspicion of treasonable practices, and the magistrates ought to be bound over under severe penalties not to abuse that power. He ventured to submit that the Amendment of his hon. Friend ought to be accepted by the Government.

And it being Twelve of the clock, the Chairman, in pursuance of the Order of the House, put the Question:—

The Committee *divided*:—Ayes 43; Noes 392: Majority 349.—(Div. List, No. 67.)

THE CHAIRMAN: The next Amendment is in the name of Mr. Healy.

Mr. HEALY did not respond.

THE CHAIRMAN: The next Amendment is in the name of Mr. O'Sullivan. The hon. Member proposes two clauses in reference to the prison rules; but they are irrelevant to the object of the Bill, and I rule them to be out of Order. The next Amendment is a clause in the name of Mr. Moore, and that comes under the same ruling as that which applied to the case of the hon. Member for Northampton (Mr. Labouchere). I have now gone through all the clauses on the Paper of which Notice has been given, according to the Order of the House. The Question is, that I report the Bill, as amended, to the House.

Question put.

The Committee *divided*:—Ayes 377; Noes 47: Majority 330.—(Div. List, No. 68.)

Question put, "That the Chairman do now leave the Chair."

The Committee *divided*:—Ayes 324; Noes 32: Majority 292.—(Div. List, No. 69.)

Motion made, and Question proposed, "That the Bill, as amended, be taken into Consideration To-morrow."—(*Mr. William Edward Forster.*)

MR. PARNELL: I do not know whether I shall be in Order in moving, as an Amendment, that the Bill be considered on Monday next. If I am in Order, I shall do so, as I think the interval too short to allow Members time to consider the Bill in its altered shape. I therefore beg to move, as an

Amendment, that the Bill be considered on Monday.

MR. A. M.SULLIVAN seconded the Amendment. He thought that after the protracted discussion which had taken place, both the majority and the minority would be very well pleased to have some rest before they proceeded further with the Bill.

Amendment proposed, to leave out the words "To-morrow," and insert the words "Monday next,"—(*Mr. Parnell,*)—instead thereof.

Question proposed, "That the words 'To-morrow' stand part of the Question."

MR. HEALY concurred with the hon. Member for Cork City that the next stage of the Bill should not then be proceeded with until Monday next.

MR. LEAMY thought the request of the hon. Member for Cork City by no means unreasonable. Some time was certainly necessary to consider what further Amendments were necessary.

MR. CALLAN said, as it was 1 o'clock, it appeared to him to be asking too much that they should enter into consideration of the Bill reported to the House.

MR. MONK rose to Order. He wished to know whether the hon. Member, having seconded the Motion, was in Order in speaking?

MR. CALLAN said, the Motion had been seconded by an hon. Member behind him. Even if he (Mr. Callan) had taken off his hat when Mr. Speaker asked if anyone seconded the Motion, he did not know that that would preclude him from speaking. The time being occupied then was necessarily so; but interruptions were purely a waste of time. He hoped the Government would accede to the request that the Report be taken on Thursday; if so, the Bill would leave the House sooner than if the Report were taken that day. He felt bound to support the Motion of the hon. Member for Cork City (Mr. Parnell).

MR. GRAY thought that the Amendment of the hon. Member for the City of Cork was reasonable, inasmuch as if it were passed the House would have nothing else to occupy it between to-morrow and Monday except the second Coercion Bill, which had not been brought in, and in regard to which it was rumoured that the Chief Secretary had thought better of his intention to introduce it. [MR. W. E. FORSTER: No.] At any rate, it was reasonable that they should have a little time to consider the Amendments which the right hon. Gentleman had said he would propose. It was now asked by the Government that the House should proceed to consider the Bill without even having seen those Amendments. He submitted that that was not a reasonable course, nor consonant with the Rules of the House. ["Agreed, agreed!"] He supposed some hon. Members thought it consonant with their dignity to pass Amendments without considering them at all. The reality of freedom of debate was gone; but let them have the appearance of it at any rate. They were proceeding with such haste, that it was confessed on both sides that the House scarcely knew what it was doing. Under these circumstances, he thought some time, at least, should be given before the Report on the Bill was taken.

MR. W. E. FORSTER: I beg to say that the Amendments will be upon the Notice Paper to-morrow. I do not believe that they will give any information to the hon. Member for Carlow (Mr. Gray), or any other hon. Member who takes an interest in the Bill, because I have already described their effect. I trust that the House will see that there is no necessity for the delay asked for.

MR. PARNELL rose, and was received with loud cries of "Spoken!"

MR. SPEAKER: If the hon. Member desires to make any statement or explanation, the House will allow him to do so; but he will not be in Order in speaking again.

MR. PARNELL only wished to say that he should be willing to substitute "Thursday" for "Monday" in his Amendment. ["No."]

Question put.

The House *divided*:—Ayes 287; Noes 33: Majority 254.—(Div. List, No. 70.)

Main Question put, and *agreed to*.

Bill to be considered *To-morrow*, and to be *printed*. [Bill 90.]

SEA FISHERIES (CLAM AND BAIT BEDS) BILL.—[Bill 83.]

(*Mr Chamberlain, Mr. Ashley*)

COMMITTEE.

Order for Committee read.

Mr. CHAMBERLAIN: Before you put the Question, Sir, that you leave the Chair, I wish to say a few words about the Bill, as the second reading was agreed to without any discussion. The Bill is really an important one, and refers more especially to the East Coasts of England and Scotland. It was promised last Session. The general principle of the Bill is agreed to on all sides, and the only objection that has been taken is that it does not go far enough. What it proposes is to give power to the Board of Trade to constitute an authority to protect the clams and other shell-fish used as bait by fishermen, and found within territorial waters in several places on the coast. The authority would be very similar to that appointed for the protection of the oyster fisheries. The hon. Member for St. Andrews (Mr. Williamson) has proposed that the Bill should go somewhat further, and give authority to protect the spawn of herrings. The proposal of the hon. Member for Aberdeen (Mr. Webster) goes still further. He desires to include all fishing banks. These are questions of considerable importance, and proper for discussion in Committee. I propose to-night, therefore, to accept as Instructions to the Committee the proposals of my hon. Friends; but I wish it to be distinctly understood that I do not pledge the Government to accept their views. The Committee will have to decide whether or no further powers should be given to the authority to be constituted. With this understanding, I beg to move, Sir, that you do now leave the Chair, and when the House gets into Committee, I shall at once move to report Progress, in order that a more fitting opportunity may be taken for discussing the Bill.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Chamberlain.*)

Mr. WILLIAMSON was glad that the right hon. Gentleman the President of the Board of Trade saw his way to allow of his proposal going forward as an Instruction to the Committee. [*Cries of* "Move!"]

Mr. A. M. SULLIVAN did not know whether the Government intended to accept the further extension of the Bill as proposed by another hon. Member. Two suggestions were made, and he was not quite sure that he understood what the right hon. Gentleman had said with regard to them.

Mr. CHAMBERLAIN: I wish it to be quite clear that we accept those proposals as Instructions to the Committee; but we do not pledge the Government to accept the views of the hon. Gentlemen.

Mr. SPEAKER: Does the hon. Member wish to move his Instruction to the Committee?

Mr. WILLIAMSON moved—

> "That it be an Instruction to the Committee, That they have power to protect beds within territorial waters where herrings are known to spawn."

Motion made, and Question proposed,

> "That it be an Instruction to the Committee, That they have power to protect beds within territorial waters where herrings are known to spawn."—(*Mr. Williamson.*)

Amendment proposed, to add the words "and also fishing banks."—(*Mr. Webster.*)

Question, "That those words be there added," put, and *agreed to.*

Main Question, as amended, put.

Ordered, That it be an Instruction to the Committee, That they have power to protect beds within territorial waters where herrings are known to spawn, and also fishing banks.

Bill *considered* in Committee.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (*Mr. Chamberlain.*)

Mr. A. BALFOUR hoped that the discussion on the Committee stage of the Bill would be taken at a reasonable hour.

Mr. CHAMBERLAIN: This is one of those Bills which can hardly be taken as an early Order; but it will not be proceeded with at an unreasonable hour.

Question put, and *agreed to.*

Committee report Progress; to sit again upon *Thursday.*

MOTIONS.

INDIA OFFICE (SALE OF SUPERFLUOUS LAND) BILL.

On Motion of Lord FREDERICK CAVENDISH, Bill to authorise the Secretary of State in Council of India to sell a piece of land in Charles Street, Westminster, to the Commissioners of Her Majesty's Works and Public Buildings for the Public Service, *ordered* to be brought in by Lord FREDERICK CAVENDISH, Marquess of HARTINGTON, and Mr. SHAW LEFEVRE.

Bill *presented*, and read the first time. [Bill 91.]

EXEMPTION FROM DISTRESS BILL.

On Motion of Sir HENRY HOLLAND, Bill to exempt live stock and agricultural and other machinery, not being the property of the tenant, from distress for rent, *ordered* to be brought in by Sir HENRY HOLLAND, Mr. RODWELL, Mr. JOSEPH PEASE, and Mr. CROPPER.

Bill *presented*, and read the first time. [Bill 92.]

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, 22nd February, 1881.

MINUTES.]—PUBLIC BILL—*Second Reading*—Local Government (Ireland) Provisional Orders (Clonakilty, &c.) * (31).

ARMY ORGANIZATION—LORD AIREY'S COMMITTEE.—QUESTION.

LORD STRATHNAIRN asked, Whether, as the Committee on Army Organization, over which Lord Airey presided, was a purely Special and not a Departmental one, and composed exclusively of military officers of high standing and great experience,

> "In order that by their advice steps might be taken to remedy the practical defects which are found to have occurred in Lord Cardwell's schemes,"

Her Majesty's Government were not of opinion that the Reports of this Committee should be presented to Parliament before the Army Estimates were presented or any new military reforms were suggested?

EARL GRANVILLE said, that at a late hour that afternoon he received Notice of the noble and gallant Lord's Question, and though he was not in the Department of the Government to which the inquiry ought properly to be addressed, he thought he could give a proper answer to it. As had been before explained, the Report was one of a Committee appointed to consider a particular question with the view of affording information on it to the Secretary of State for War. The Committee had made a very valuable Report, which was not yet printed in its entirety; but it would be laid before Parliament, so that it should be in the hands of the Members of both Houses on the morning after his right hon. Friend made his Statement in introducing the Army Estimates.

SUNDAY—OPENING OF NATIONAL MUSEUMS AND GALLERIES.

RESOLUTION.

THE EARL OF DUNRAVEN, in rising to propose the following Resolution, of which he had given Notice on the subject:—

> "That inasmuch as all opposition to the action of Her Majesty's Government in opening on Sundays the National Museums and Galleries in the suburban districts of London and in Dublin has entirely ceased owing to the good results which have followed such opening, this House is of opinion that the time has now arrived for extending this action to all institutions of a like character, it having been most conclusively shown that large numbers of the people rejoice at every opportunity that is afforded them of spending Sunday intelligently, and with due regard for its preservation as a day of rest and cessation from ordinary work and amusement,"

said, before addressing himself to its exact terms, he should like to say a few words about the general questions of the advisability of opening certain public institutions and places of innocent recreation on Sundays. It was a subject concerning which many erroneous opinions were entertained. He should not occupy the attention of the House at any great length. The matter was very fully gone into and explained in an admirable speech by his noble Friend (Lord Thurlow), in a debate which had taken place two years ago, and the arguments he used were, doubtless, still fresh in the memories of their Lordships. There appeared to be a fallacious idea prevalent that it was contrary to religion and detrimental to the proper observance of Sunday that the public should be allowed an opportunity of availing themselves on that day of certain forms of recreation, which not only were harmless in themselves, but which might be legitimately enjoyed on Sundays by all those who were rich enough to procure them in their own homes, thereby constituting, as it seemed to him, a distinct difference in the moral code as applicable to the rich and the poor man. This view of the case was very distinctly put forward not long ago by the noble and learned Earl the late Lord Chancellor (Earl Cairns). The noble and learned Earl was stated, in *The Glasgow Herald* and *The Scotsman* of December 1, 1880, to have said, in a letter to the Glasgow Working Men's Sabbath Protection Association, that the Sunday Society, one of the associations whose object it was to procure for the public the boon he was about to crave at their Lordship's hands, was not

> "Directing its efforts to a consideration of the most fitting and beneficial mode of spending Sunday;"

but to

> "An attack on that body of Scriptural and revealed truth which is our authority and guarantee not merely for our days of rest here, but for those priceless hopes and promises of which our Sunday is but the type and emblem."

Now, he was not there to defend the action of any society; but being connected with the association alluded to, he might be permitted to take exception to that statement of the noble and learned Earl. He would have nothing to do with any organization such as the noble and learned Earl described the Sunday Society to be. The ends and objects of the society were entirely, though, doubtless, unintentionally, misrepresented by the noble and learned Earl. That some supporters of the movement for opening certain public buildings on Sundays might entertain very different views on religious subjects from those held by the noble and learned Earl might be very true. That did not affect the propriety of the movement. As for himself, he (the Earl of Dunraven) wished it to be distinctly understood—and he believed he should be reflecting the opinion of those among their Lordships who would support the Resolution before the House — that his object, and his only object, was that Sunday should be observed in a more fitting and beneficial manner than it was at present, and in a manner more conformable not only to what the noble and learned Earl described as "the teaching of Scriptural and revealed truth," but also to the precepts and opinions of the best men in the Church in every age. He was not going to enter upon a theological discussion. He had no intention of investigating the two distinct reasons assigned for the institution of the Jewish Sabbath, or of founding any arguments on the resemblance or difference between that institution and the Christian Sunday, or of showing the impossibility of carrying out some of the injunctions of the Jewish law of Sunday observance. He felt a deep and, he thought their Lordships would allow a pardonable, reluctance to intrude a theological discussion on the notice of the House. He preferred to deal with the more practical and political aspect of the question. He submitted that if the Sabbath was made for man, and, if as was certainly the case, the circumstances and requirements of human life were constantly changing, it might become necessary, from time to time, to modify and somewhat alter the details of Sabbath observance, in order that it might continue to be useful for man. He further submitted that, in making the desired alteration, they were not embarking on a new course, but were merely reverting to a better state of things that formerly existed. He did not wish to argue the case. He would rather leave it to their Lordships' consciences to decide whether the principle he advocated was not in accordance with the spirit of Christianity, whether it was not strictly in accordance with all that they knew of the original doctrines and teachings of that religion, and whether it did not agree with the examples and writings of all the most eminent men in the Early, the Mediæval, and in the Reformed Church down to the time of the great Puritan movement in this country. There, he granted, they came into collision. He admitted that the principle he spoke for was opposed to the opinions of many eminent Puritan divines, as expressed more than 200 years ago in the "Westminster Confessions." Here, also, he should abstain from discussion of a controversial nature. He took his stand on the ground that the Puritan ideal had proved visionary and unattainable, and their method of Sunday observance had been tried and failed, and that failure had resulted in very evil consequences to the country. The idea of those very earnest and religious divines was that hard-worked men, tired, dispirited, disappointed men, could attain all the rest they required for mind or body by absolute inaction or religious exercises. They deemed it possible to bind the very thoughts of men. Their theory was summed up in the sentence that—

> "The Sabbath is kept holy when men not only observe a holy rest from their own works, words, and thoughts, but are taken up the whole time in the public and private exercise of worship."

They thought that men could be refreshed sufficiently to enable them to encounter cheerfully another week of toil without turning for an instant, even on the Day of Rest, to any of those innocent and pleasurable occupations to which the good sense of the English people applied the very significant word "recreations." He had nothing to say against Puritanism. It did much good in many ways. It swept away many abuses, purged the nation of much that was evil; but as far as Sunday observance was concerned it went too far. It strove for the unattainable; it laid a burden on men too heavy for them to bear. It mistook human nature, and asked from it impossibilities, and the result had been bad. There was nothing to be said against the Puritan ideal, except that it was impracticable. It was a very lofty and a very noble one; too noble and too high for ordinary human beings. The Puritans had tried to make men climb to heights which men could not reach, and the result had been that they had ceased to climb at all. If it was so difficult for men to attain that high standard 200 years ago, it was infinitely more difficult now, when the struggle of life was becoming harder, and the necessity for true rest and recreation was becoming more and more apparent. Let their Lordships but consider the circumstances of the life of a hard-worked man, who could have but few resources in his own home. He (the Earl of Dunraven) was not one of those who imagined that what were called the "upper classes" led lives of indolence and passed through this world free of care. Probably many of their Lordships worked as hard as any men, and much harder than most men. He appealed to them to consider what the value of Sunday as a day of rest would be without the opportunities of enjoyment afforded by comfortable homes, without the facilities they enjoyed of obtaining change of scene, of varying their employment, of distracting their thoughts from harassing subjects, and resting the brain—not by absolute inaction, which was intolerable, but by a change of occupation, which was real repose. What was the poor man to do? How was he to break the monotony of his life? Where could he go on Sunday? It might certainly be said that in summer he could occasionally make an excursion into the country, than which nothing could be better for him; but summer time was short, and even in summer how many Sundays were there in this capricious climate that did not invite them to the enjoyment of a ramble in the country? And they must not forget that to get into the country from the heart of this gigantic city was a matter involving considerable time, trouble, and expense. But in winter, on wet and miserable Sundays, what was the poor man to do? He could tramp about our dirty and gloomy streets, and if tired of that exhilarating pastime there was not a single place where he could sit down and rest himself in-doors in the shelter, or, for the matter of that, out-of-doors in the wet. True, he could sit at home. That might be well enough for men and women who could remove themselves in their own homes from household troubles and all the thousand petty worries of life; who could have about them all the luxuries and enjoyments that money could buy. But it was not enough for the poor, whose homes were, of necessity, in many cases sordid and wretched in the extreme. They had no resources at home; they could not fill their rooms with flowers or works of art; they could not turn to well filled book-shelves for relief; they could not devote themselves to religious thought, if so minded, in a quiet, peaceful atmosphere surrounded by objects soothing to the senses. The poor could get no variety, no change of thought or occupation at home. Everything reminded them of the inevitable troubles of life. It was a necessity for them to be removed, if only for an hour or two, from the evidences of the hardships of life; to be taken away from the contemplation of their every-day existence. To such men a day of rest was essential. Now, Sunday might become to them an inestimable blessing if they were permitted to use it as they might wish, properly and intelligently; if they were allowed to get what rest and comfort, and consolation, and change, and renewed vigour of mind and body, they could from real repose, from innocent recreations indulged in after the hours which ought to be devoted to worship and religious exercises, and not be compelled to spend the day in absolute idleness. But the present Sunday, as it existed, was not the blessing it ought to be to a great number of people, and it was unsatisfactory to the more intelligent of the working classes. As it existed now, it offered a premium on stupidity. The more ignorant a man was the more likely he would be to be satisfied with the present Sunday, and to be contented with absolute inaction, modified by beer. The more intelligent the man the more he would desire to forget his every-day life in some harmless and pleasant occupation. It was the natural instinct of men to do so, and we forbade them. The poor man had nowhere to go, nowhere except the public-house; and we wondered that he availed himself of his only opportunity. Why was it that of all civilized nations we English spent our holidays in the least civilized manner? He was ashamed to say so; but he did say so, for he knew it to be true; and he thought no object was to be gained by shirking such disagreeable subjects. Such of their Lordships as had travelled on the Continent, and he might probably say all their Lordships who had observed the manners and customs of any of their neighbours—say, of those nearest to us in race and religion, the Germans —had, he felt very sure, been forced to contrast unfavourably the conduct of Englishmen with other nations in their method of spending a holiday. Whose fault was that? It was our fault. It was their Rulers, not the people themselves, that were to blame. We English were not more coarse by nature than other people; but our customs, our mistaken views, tended to make us so. Our climate, especially in winter, compelled us to seek for occupation or enjoyment to a great extent in-doors. On Sundays, on the weekly day of rest, the public-house was the only place in-doors to which the public had access. To be allowed the friendly shelter of the gin-palace they must drink, and drink frequently, and to excess. Drink, strong drink, and too much of it, was the only alternative between the cold and dismal street and, perhaps, an unhappy, certainly a very humble, and, too often, a very squalid home. The consequence was that drink and the Sunday had become so very intimately associated in the minds of the people that the idea of a rest from labour, of a break in the monotony of their lives, of a holiday of any kind, had become identified with drink. He did not intend to expatiate upon the evils of intemperance. No doubt, their Lordships acknowledged the greatness of the evil. As Science taught us more and more about ourselves, we began to see more clearly the truth of the words that the sins of the fathers were visited on the children. We began to recognize that if, generation after generation, a large number of human beings drank to excess, in time a marked effect must be produced upon the physical characteristics and upon the actual brain-power of the people, and, consequently, upon their ability to wield wisely and well the political responsibilities intrusted to them. It might be said that the opening of such places as Museums would do but little to check intemperance. He denied this. He believed it would do a great deal. At any rate, let the experiment be tried. He was not in favour of interference with individual freedom in such matters, but he was in favour of free trade. He did not believe in State interference, or in attempting to compel people to be temperate or to abstain. He was not talking of closing places of refreshment; but he objected strongly to protecting public-houses by insisting that they should be the only places to which a poor man should have access on Sundays. But, even if it were true that it would do but a little good, at any rate let them do that little. Let them give the people an opportunity of obtaining innocent recreation in-doors on Sundays—let them give them the option between public-houses and public buildings of another kind; let them break up a state of things which associated the idea of a holiday with intemperance; let them take away what ought to be a stinging reproach to us as a Christian people, that the Sunday, which was meant for all, which was most needed by those who worked the hardest and whose lot was the hardest, could be enjoyed as a day of real rest only by the few, only by the rich, only by those who needed it least among us. Let them throw upon the people the responsibility of their actions, that they might not be able to turn upon them and say—"You who ought to direct and advise us, you shut the door in our faces, you drive us into the public-houses, and on your shoulders do the consequences rest." There was another reason why he urged them to look favourably on the Resolution before the House—that was, that in throwing open such buildings as the British and South Kensington Museums on Sundays, they were not only granting a benefit to the people, but giving them their just rights. They were supported by the Public Funds, and all who paid for such institutions had an undoubted, undisputed right to use them. But it was a right from which many of our poorer fellow-countrymen were practically debarred. Sunday offered the only opportunity they had. They left their work too late on week-day evenings, and Saturday half-holidays were useless for such a purpose. By the time a man could get home from his work, had washed and dressed, and eaten his dinner, it was too late and too dark in winter time for him to visit Museums. Besides, there were purchases to be made, and many things to be done on Saturday afternoon which could not and ought not to be done on the Sunday. It was not right that the poor should be called upon to contribute towards the maintenance of an institution which was, practically speaking, reserved for the exclusive benefit of their richer fellow-countrymen. That was a grievance that surely ought to be redressed. What would it necessitate? It would require the employment of a few people on Sundays. That was, he admitted, a difficulty; but it was a difficulty of microscopic dimensions, and one that would kick the beam if placed in the balance along with the advantages to be gained. Whatever their views of Sunday observance might be, they must admit that the question of labour was settled with a view to the convenience of the multitude. Excursion trains were allowed to run on Sundays, and all kinds of work was done because it was necessary, or not even because it was necessary, but because it was for the convenience of the mass of the people. Besides, what was right in one place could not be wrong in another. If it was not wrong for officials to be employed at Kew or Hampton Court, it was hard to imagine how or why it could be wrong in other places of a similar nature. Such buildings would be open only during the afternoon, and the *employés* would not be prevented from attending Divine Service if they wished. Besides, the consequences to the *employés* could be largely modified by slightly increasing the number, so as to give them a holiday, if not on Sunday, at least on some other day of the week. There was a good deal of nonsense talked about the extra amount of labour that would be required. Why, one-half or one-quarter of the staff employed by one newspaper on Sundays, to enable it to be produced on Monday morning, would do all that was necessary to enable the hard-worked artizan and working man to enjoy a little well-earned and much-desired recreation on their Day of Rest in visiting these places. In fact, the number of cabs employed on Sunday morning in driving ministers of religion from one place to another would very far out-number the *employés* who would be required to keep open the Galleries and Museums of the Metropolis on that day. He would beg of their Lordships to remember that in agreeing to the Resolution they were not pledging themselves in favour of a system regarding which we had no experience. Look at other Protestant countries, at Germany, Denmark, Norway, Sweden, Holland, and Switzerland. We found that in all these countries public institutions devoted to Science and Art were open on Sundays, and the results were good. In Berlin we find a Museum and a National Gallery; Brunswick, a Museum; Dresden, three Museums and a Picture Gallery; Copenhagen, three Museums and a Picture Gallery; Stockholm, a National Museum; Christiania, three Museums and a Picture Gallery; The Hague, a Museum of Antiquities; Amsterdam, a Museum and Picture Gallery; Geneva, two Museums; Berne, a Museum; Basle, a Museum and Picture Gallery. In the United States they had Public Libraries open on Sunday at

Cincinnati, Philadelphia, New York, Boston, Chicago, and Worcester. But while these privileges were enjoyed by our neighbours, it was in England alone that we found them withheld from the people. In England we had also to lament a want of artistic feeling and taste among our artizans, which told greatly to their disadvantage, and we would gladly see more of that humanizing sentiment which enabled people to enjoy themselves soberly, quietly, and rationally in their holidays. He did not anticipate any great and immediate change would follow upon granting to England the same privileges that all other Protestant countries enjoyed. But he believed an improvement in the tone and taste of the people would gradually be brought about. The effect on the present generation might not be great; but it would soon show itself on the plastic, impressionable minds of children. The experiment had been tried in England, and wherever such trial had been made the results had been excellent. In London and the immediate neighbourhood the people now had free admission on Sundays to Hampton Court Palace, Kew Gardens and Museum, the Royal Military College, Greenwich, and Free Libraries at Notting Hill and Kennington. In the Provinces we had a Public Library at Birmingham; the National Gallery, Natural History Museum, and Botanical Gardens at Dublin; no less than five Libraries and Reading Rooms at Manchester; and Free Libraries at Middlesborough and Wigan. In addition to these free institutions, we had the following open to subscribers and shareholders, Fellows, or members:—The Alexandra Palace, the Crystal Palace, the Royal Botanical Society's Gardens and Museum, the Royal Horticultural Society's Gardens, the Zoological Gardens; at Belfast, Royal Botanic Gardens; Dublin, Zoological Gardens; Manchester, Royal Botanical Gardens and the Athenæum; Sheffield, St. George's Museum; Stratford-on-Avon, the Shakespeare Museum. The public also had been freely admitted by ticket, procurable from the Sunday Society, to the organ recitals at the Albert Hall, occasionally to the Grosvenor Gallery, and to various private Galleries in London. In none of these places had any complaint been made. The result had been good. The words of the Resolution were perfectly applicable. In one instance only had any public attempt been made to close a Museum that had once been opened on Sunday, which augured well for the success of the movement. This occurred at Maidstone; but the decision was arrived at by the majority of a new committee, who did not raise the question of Sunday opening when seeking election, and gave the inhabitants no opportunity of expressing an opinion on the subject. This attempt was only made after public Notice of the Resolution now before their Lordships had been given; and within three days of the decision of the committee being known, one of the largest meetings ever held at Maidstone strongly condemned the committee for their hasty and uncalled for action in this matter. On Sunday last the Museum was again open, and steps having been taken to count the number of people attending, it was found to be 481 between the hours of 2 and 5. The meeting in Maidstone not only protested against the closing of the Museum on Sundays, but almost unanimously adopted a Petition, which had been presented to their Lordships. The chief reason for granting this boon of Sunday opening of Museums and similar institutions was, that it was ardently desired by a great number of the most intelligent of the working classes. He did not say that great monster meetings had been held, or a vast agitation set on foot; but their Lordships would recollect that on Sunday, May 7, 1876, 25,000 working men marched in orderly array to the British Museum and demanded admission; and, he might remind them that during the last 20 years many Petitions from various working men's clubs had, from time to time, been presented to both Houses of Parliament. Their Lordships would have seen from the public papers that on Tuesday last the Sunday Society decided to issue a letter for signature, asking the Prime Minister to receive a deputation with reference to the expense of opening the British Museum on Sundays. Since the issue of that letter, just one week ago, it had received some 2,000 signatures from members of the Professions of the Law, Science, Art, Members of the Legislature and of learned societies, and including the chief magistrates of 65 towns, and 268 clergymen. It was forwarded to the Prime Minister that day. The best proof that a change was desirable lay in the fact that whenever private institutions, or institutions belonging to municipal bodies, had been thrown open on Sundays, the attendance had been very good. The Albert Hall organ recitals had secured an average attendance of 3,000. The Royal Manchester Institution was visited on 11 Sundays by 51,000 people, and the Manchester Libraries gave admission during the year 1879 to 125,000 persons, or an average of about 2,500 weekly. There was an average attendance at the Dramatic Fine Art Gallery, New Bond Street, of 550 persons for three Sundays in the summer of 1879, and on the fourth Sunday it increased to 1,044. At the Grosvenor Gallery Winter Exhibition, March 23 and 30, 1879, 3,000 persons attended. At the Summer Exhibitions, July 27 and August 3, about the same number were admitted, and on March 14, 1880, it was visited by 707 persons. These figures were, in his judgment, amply sufficient to show how much men craved to satisfy what was becoming a necessity of our lives. England was, of all countries in the world, the one in which it was especially necessary that the poor should be provided with the means of innocent recreation in-doors. Millions of Englishmen were absolutely divorced from Nature. Their lives were spent cooped up in large cities, breathing foul smoke instead of pure air, surrounded by dismal sights, and enveloped in a gloomy, dull, depressing atmosphere. They laboured underground in mines. They worked all day in factories. They dwelt in districts grimy, denuded of all natural beauty by foul gases and the smoke of countless chimneys. The lives and occupations of millions of Englishmen tended to sharpen their wits, to make them dissatisfied with mere idleness as a relaxation; and their surroundings were such that they were debarred from the enjoyment of Nature and her works. Our position as a great hive of human beings, as a great trading and manufacturing nation, entailed this penalty upon us, and we did nothing to alleviate it. On the contrary, we who, of all nations needed it most, alone deprived the population of the privilege of obtaining a little in-door recreation on their days of rest. What harm could the relaxation of the rules regulating Sunday observance which they asked for possibly do? There was not the slightest danger that the Continental method of working observance of Sundays would be introduced into this country. There was no reason whatever for supposing that admission to such places of innocent and instructive recreation as Art Galleries, or museums, or libraries would lead to a clamour for the opening of places of a very different character, devoted to mere amusement. Surely we might place some reliance upon men whom we considered fit to exercise the privilege of choosing their Representatives in Parliament. How could we say that men upon whose shoulders the responsibility for the conduct of the affairs of this country ultimately rested, were incapable of forming an opinion as to the relative fitness of things, and could not discern the difference between, say, the South Kensington Museum and a dancing saloon, as a place to which a man might go with his wife and children to spend an hour or two on Sunday afternoons? Were we to suppose that Englishmen had no sense of decency, no ideas-of propriety, no reverence for the Sunday, no self-respect, or respect for the feelings of other people? He should be ashamed to think so meanly of his countrymen. As to labour, he believed on the Continent the tendency was towards less and less work on Sundays; and he was sure they saw no signs in this country of any disposition on the part of working men to increase the number of working hours in the week. On the contrary, the tendency was in the other direction. The workmen did not ask to work on Sundays; they did not want to work on Sundays. Their Lordships must allow people to be themselves the best judges of what they wanted. If there was the slightest danger of introducing a working Sunday, if the working classes showed the faintest desire to labour at their usual avocations on Sunday, he would combat that inclination to the best of his ability, for he held that a day of rest and recreation was absolutely essential to the well-being of the nation. That was what they ought to have, and that was what they had not got. They had not got a day of rest, but only a day of irksome idleness. A day of real rest and recreation was what they asked for, and to say that when a man petitioned for leave to rest himself rationally, he was, in reality, asking for leave to labour, appeared to him to be absurd. The two things were so distinct, rest and work, recreation and plodding labour, so entirely contradicted each other, that he could not understand how any man could suppose that, in allowing the one, there was the slightest danger that a desire for the other might follow. He could fully sympathize with the jealousy with which working men looked upon their Sunday; but he could not sympathize with them in their groundless fears that their day of rest would be done away with by giving effect to the proposal before the House. The danger lay exactly in the opposite direction. In proportion as people grew more intelligent and were better educated, so did the present Sunday become unsatisfactory to them. So long as Sunday answered the desires of the people, so long would they respect and reverence it, and regard it as a day of rest; but when it ceased to fulfil that condition, then came the danger of a revolt against it which might deprive us of it altogether. The question of working on Sundays was in the hands of the working men; as long as they did not want to work, there was no possibility of their being compelled to do so. He appealed to their Lordships' common sense to say whether there was anything in the Resolution likely to alter the opinions of working men in this respect. Make the Sunday a real day of rest, and they would never see a desire to do away with it. Leave it as it was, and they need not be surprised if those to whom it was utterly unsatisfactory preferred working to doing nothing on what had ceased to be with them a day of rest. He honestly believed that the idea of a working Sunday was a mere phantom of the imagination. The two things—rest and labour—were so diametrically opposed to each other, that he could not see how anyone should suppose that in granting the one, there was the slightest danger of Parliament being called upon to grant the other. Therefore, the idea that permitting people to rest themselves could eventuate in the abolition of a day of rest, and that the encouragement of innocent recreation would result in the extinction of recreation, was a most extraordinary delusion. He had attempted to show, and he hoped he had succeeded, if ever so little, in showing that the concession he asked for was earnestly desired by a great number of the most intelligent members of what were commonly described as the working classes, and by many of those best acquainted with the wishes and requirements of these classes; that the principle involved worked well in all other Protestant countries and had produced good results wherever it had been tried in England; that it did not contain even the germ of any principle hostile to Sunday as a day of rest, likely to lead to the toleration of work on Sundays, or to inculcate in the minds of the people habits and desires incompatible with the sacred aspect of Sunday; that whereas it might do much good, it could not possibly do any harm to anyone. Let them not forget that he was asking them to record the opinion of that House in favour of a purely permissive measure. There was no intention to compel any man to do that which was contrary to his conscience. He merely asked that men should be allowed to do that which seemed right in their eyes and which, in their opinion, contributed to their physical and moral well-being, and which, at the same time, could not be an outrage to the feelings of any other man. He asked them for a slight extension of the principle of toleration, of that great principle which allowed every man in this free country to follow the dictates of his own conscience, and to rule and develope his life according as he thought best for himself, provided that his conduct did not interfere with the well-being of the community. There were, no doubt, many excellent people who were opposed to the principle he advocated; but they could not say that its adoption would inflict any grevious injury upon them. They would not ask their Lordships to suppose that the happiness and peace of mind of those artizans who did not wish to visit Museums on Sundays would be seriously imperilled if those who differed from them were allowed to exercise their right of private judgment in the matter. Was it not hard that men earnestly desiring this benefit, and feeling that the Sunday did not, under existing restrictions, afford them the rest they needed, or meet the requirements of their nature, should be deprived of innocent recreation, that they should not be allowed to instruct themselves, that they should be forbidden to indulge in perfectly harmless occupations merely because the method in which they wished to realize their day of rest was contrary to the prejudices or, if their Lordships liked, the principles of other men that they should do so? If the change was calculated to benefit those who wished for it, without in any way affecting those who objected to it, he maintained that, if it was desired even by a very few people, it should be granted. All he asked for was an extension—a very slight extension—of the principle of toleration—that people should be allowed to judge for themselves in the matter. This country had always upheld the right of individual and private judgment in matters of this kind, provided one's action was not prejudicial to the interests or happiness of the people. Such an extension could inflict no injury on any man. It would be hailed as a blessing by many. He asked their Lordships once more to bear in mind the condition of the poor in our huge cities, to think of their dull unlovely lives, and to consider whether a little innocent healthy recreation on their only day of leisure would not be an inestimable benefit to them. He asked them whether taxpayers had not a right to the use of their own National Buildings, and whether they were not practically debarred from the exercise of that right. He asked them to give to the poor an opportunity of enjoying in the contemplation of works of Art and of the mysteries of Nature a form of innocent and instructive recreation now almost exclusively reserved to the rich. He asked them to do away as far as possible with class distinctions in this respect, and to give to the poor, in the way proposed, the benefits and advantages which the rich could secure for themselves in their own homes. He had to thank their Lordships for the patience with which they had listened to him. He felt very deeply his inability to put the matter before them as he should wish; but, after all, his inefficiency did not much signify, for the question commended itself to their Lordships of itself, and the benefits were patent on the face of it. It rested with their Lordships to say whether in their opinion those benefits ought to be granted or withheld. The Members of that House had ever shown themselves most solicitous for the welfare and happiness of their fellow-countrymen, and he left the matter with the greatest confidence in their Lordships' hands. The noble Earl concluded by moving his Resolution.

Moved to resolve, That inasmuch as all opposition to the action of Her Majesty's Government in opening on Sundays the National Museums and Galleries in the suburban districts of London and in Dublin has entirely ceased owing to the good results which have followed such opening, this House is of opinion that the time has now arrived for extending this action to all institutions of a like character, it having been most conclusively shown that large numbers of the people rejoice at every opportunity that is afforded them of spending Sunday intelligently, and with due regard for its preservation as a day of rest and cessation from ordinary work and amusement. — (*The Earl of Dunraven.*)

THE EARL OF SHAFTESBURY: My Lords, many thousands in all the great towns of the country await with anxiety the decision of your Lordships on this question. I entirely deny the very bold statement in the Motion proposed by the noble Earl, that all opposition to the action of Her Majesty's Government in opening on Sundays the National Museums and Galleries in the suburban districts of London and Dublin has entirely ceased, owing to the good results which have followed such opening. Why, this very day I presented Petitions from Hampton Court, Greenwich, and Kew, signed by 2,600 persons, and praying that the Museums and Galleries should not be opened on the Lord's Day. Again, the Motion says that large numbers of people rejoice at every opportunity that is afforded them of spending Sunday in the Museums and Galleries. My Lords, I venture to assert, on the contrary, that never have the earnestness and activity against the movement advocated by the noble Earl been so intense as at present. It was only on the 8th instant that the intention of the noble Earl to bring his Motion forward became known to the public, and since then very many thousands of persons have petitioned against it. Within the last few days I have myself presented to your Lordships Petitions against this proposal signed by 58,000 persons, besides other Petitions lately, which would bring the number of signatures up to 70,000 at least. Those Petitions represented the feelings of millions. There is a very strong feeling both amongst the Nonconformists and Church people in this country against the opening of such places on Sundays. The Wesleyans, comprising a body of

3,000,000 or 4,000,000 of people, have intrusted me with a Petition from their Conference against the proposal of the noble Lord. When it was suggested, some short time ago, that the Bethnal Green Museum should be opened on Sundays, the working people in the immediate neighbourhood, to the number of 84,000, signed a Petition with a directly contrary prayer. So that the first proposition of the noble Lord, that all opposition to the opening of these places on Sunday has ceased, is untenable. The next point of the noble Lord is that the opening of Museums and Galleries in Provincial towns on Sundays, so far as it has been tried, has proved a success. This I dispute. Is it not a fact that, as compared with the number of inhabitants who might have been expected to go to these Museums and Galleries on Sundays, the attendance is very small? But I will not, however, insist upon that point, because I admit that if on Sunday, or on any other day, you open any place of amusement, hundreds and thousands will be found to go there, especially if admission be gratis. But, my Lords, the movement for opening these Museums and Galleries on Sunday has failed altogether in the grand purpose for which it was first started. It was urged by its advocates "Only open these Museums and Galleries and you will fill them, while you will empty the pot-houses and taverns." That was a very taking argument, and many persons were induced to support the movement under the notion that it would wean the people from low haunts. I will undertake to say that all the Returns which can be adduced on the subject will not show that of all the regular tavern-goers one single man has been seduced from his haunts by the opening of these Galleries and Museums. I am certain that it would be perfectly possible to open these Galleries and Museums on Sunday within a stone's throw of the great centres of population without finding the frequenters of one public-house deserting it in order to regale themselves with statues and pictures. Again, many of the persons who visited those Collections on Sunday might have gone on any other day; but they did not choose to do so. Sunday was an idle day with them, and they, no doubt, went there in great numbers; but they were not of the particular class whom you wish to rescue from the temptations of the gin-palace or the pot-house. It is very well to have grandiose ideas about the enlargement of the human mind and the development of the intellectual faculties of the people; but there are other points to be kept in view, because there are other human beings to be considered besides those who desire to go about to see statues and pictures on Sunday. I plead, my Lords, for a very large class of over-worked, toil-worn men; and, if you open your Galleries and Museums on Sunday you will greatly multiply the number of wretched victims—cab-drivers, omnibus men, tram-car men, railway officials, and other men, to say nothing of the attendants at these places of Science—who will have to work on that that Day of Rest. Are these classes not entitled to be thought of as well as the people of leisure who wish to indulge their taste for Science and Art? The amount of additional toil which you would thus impose on these men is dreadful to contemplate. But, my Lords, once you enter upon the course which you are now invited to take, where will you stop? You will not open these Museums and Galleries only. You speak of the public instruction which these places will afford. Are there no other places to which that reasoning would equally apply? Look, for instance, at the Aquariums which exist in various localities—the Crystal Palace, for instance. May they not also be called places of instruction? And why should they not be open on Sunday as well as other institutions? It may be said that they are private property, and that admission to them is paid for. But, though paid for, is the instruction to be obtained there less good if it were not paid for? Nay, if purchased it might be more valued. Therefore, on the same ground, every one of these institutions might be opened on Sunday. Neither would it be possible on this reasoning, to close the theatres. You often hear it argued that the theatre is one of the very best schools of public instruction; and I have no doubt it might be made to a great extent a school for education of some sort; and, on this ground, all plea for resistance is taken away. Every other place of public amusement and public resort must follow in the wake of Museums and Picture Galleries. In opening these places of amusement on the Lord's Day, what do you propose to do? You hope thereby to secure for this country an orderly population. Well, go through the City of Paris on Sunday, and what do you find? You will see that which must cut anyone to the heart. The factories, shops, and streets are filled with labouring men as though it were a week-day, and every kind of ordinary employment is pursued on the Lord's Day. Masons, bricklayers, carpenters, are engaged on vast buildings. Well, the Picture Galleries and Museums have been open on Sunday for years and years to the working population of Paris; and yet the very men to whom these places are accessible for the cultivation of their minds, the training of the heart, and the elevation of the human being, are the very class of men who burnt the Hôtel de Ville and the Tuilleries, disgraced the Place Vendôme, and committed every form of excess. So much, then, for the influence of Science and Art on Sunday upon the cultivation and improvement of the mind of a people. Sunday is a day so sacred, so important, so indispensable to man that it ought to be hedged round by every form of reverence. Its adaptability to the wants and necessities of the individuals of society, the wisdom of its institution, proves it to be Divine; and, my Lords, the working people of this country—the great bulk of the working people—regard it in the light of a Great Charter. They differ, no doubt, many of them as to its origin. Some take a deeply religious view of the matter; others take a more political view of it; but all are of this mind, that the sanctity of Sunday is to them a grand protection. You may hear it from their own lips repeatedly, if you consult them, and they affirm that it is their only protection against being compelled to perform, in times of difficulty, seven days' work for six days' wages. It is a great thing to encourage in these men, particularly in these days of uncertainty and of change, a belief that they can trust in anything that is now established. There is a great change coming over your population. The feeling of reverence is declining very fast. The last spark of reverence with them is reverence for the Lord's Day. Extinguish that spark, my Lords, and you will soon have a generation of men in mind and in action very different indeed from their British forefathers. The noble Earl concluded by moving an Amendment of which he had given Notice.

Amendment *moved*,

To leave out from the words ("inasmuch as") in line one to the end of the motion in order to add the words ("a Select Committee of the House of Commons on Public Institutions having reported on the 27th of March 1860, 'that such Institutions as the British Museum and the National Gallery should be opened on week day evenings to the public between the hours of seven and ten in the evening at least three days in the week,' this House is of opinion that the time has arrived when this recommendation should be carried out.")—(*The Earl of Shaftesbury.*)

THE DUKE OF SOMERSET, who was imperfectly heard, said, that he had no desire to go at any length into the large question which had been brought before their Lordships by the noble Earl (the Earl of Dunraven). He must say, however, that the present state of things was far from satisfactory to the working classes. New thoughts and new desires were being brought to their minds, and they were told that they should learn Natural History and many other things. But how were their wants met in that respect? The fact was, that on the very day when they could conveniently gratify their desires for knowledge, they found the door shut to them. The noble Earl who had just spoken had said that the working man might go in the evening to these public institutions from 7 till 10. He should like to know how the working man was to go after his work? Was he to go and dress himself and take his wife and children? It was clear that his domestic arrangements would not allow of such a course. But he would do so on Sundays. Were not the steamers crowded on that day with men, women, and children, in search of fresh air and innocent recreation? In his opinion, it would have been better if the Resolution had been met by a direct negative rather than by such an Amendment as that proposed. He did not see why, with proper precautions, the working classes should not be allowed to visit the British Museum. As a Trustee of the British Museum he could take no official part in opening it on Sundays, The Trustees had no right to take part in such a proceeding, and could express no opinion one way or the other. But he thought the advantage of opening some part of the Museum would be very great—for example, the Natural History Department; he could not see anything irreligious in that. The working men might go there on Sunday afternoon. They liked to go in their Sunday dress. If they were allowed to go in their Sunday attire, with their wives and children, they would do so with great pleasure. What was the working man to do on Sunday? After he had been to church in the morning, what was he to do? He saw no reason why in the afternoon he should not be allowed to see the pictures of the great men of the past, and visit the Natural History and Mineralogical collections in the Museum. There might be some difficulty in details and some extra expense; but these questions could be easily arranged. A few policemen would sufficiently keep order. But the Library could not with advantage be opened, as this would require the attendance of the officers of the Museum, and the work of supplying the readers with books could not be performed by any substituted assistants. Besides, the Library was not the place for recreation, but for hard study. But with that exception he thought that the Museum might, with great advantage, be opened on Sundays. He should vote for the Motion; but if it was carried, he should wish to limit it, so that it might not interfere with the proper functions and duties of the Sunday.

THE ARCHBISHOP OF CANTERBURY: My Lords, the noble Duke who has just sat down has made almost precisely the same remarks which I heard on a former occasion. It appears to me extraordinary that the noble Duke should not wish the Library of the British Museum opened on Sunday, if the other departments are opened. I should have thought that the Library, of all places, was that which might most innocently be used by the working classes on Sundays. It seems to me strange that the Galleries which contain so many precious works of Art are to be left open to be visited by those large numbers who are supposed to be so anxious to rush into the British Museum while the Library is to be closed. That is my primary objection to the noble Duke's speech. But there is another and greater objection. We are called upon to affirm a number of abstract propositions. They may be true, or they may be false. But it is rather hard that, by a vote of this House, we should be asked to commit ourselves to a number of propositions the truth or falsehood of which is extremely doubtful. Whether the proposition of the noble Earl opposite or that of the noble Earl behind me is correct, between the two it is rather hard that we should be called upon to pronounce that either is correct or incorrect. I must, however, acknowledge that nothing could be more likely to conciliate the votes of those among your Lordships who are opposed to him than the manner in which the noble Earl introduced his Resolution. That what he said was the expression of his own deliberate convictions was evident in every word he spoke, and nothing could exceed the moderation with which he approached this difficult question. But, my Lords, notwithstanding the arguments which he used and the touching way in which he appealed to your Lordships, and pointed out how different was your position in the enjoyment of your comfortable and wealthy homes from the position of the poor, who are called upon to spend their Sundays without these advantages—notwithstanding all this, I cannot but think that I, for one, should act very wrongly in giving my vote in favour of this Resolution. Surely, my Lords, the proper way of settling this somewhat difficult and embarrassing question is to appeal to those who have the management of these various institutions, who know what are the difficulties which stand in the way, to decide this question. It is hardly fair, in my opinion, that the House of Lords should be called upon to pronounce upon a difficult question of this kind without any practical Resolutions being placed before us. If the noble Earl had brought in a Bill, we should have known where we were; but merely to say in the abstract that we should affirm this general proposition, which is very doubtful, is, I think, hardly what we are entitled to expect. My Lords, the lines which enclose religious and moral obligations are always very fine. It is a dangerous thing in any country, even if mistaken views of religious and moral obligation have been widely spread, to tamper with the general sentiment of the country. We cannot possibly know when these lines have been broken through what will follow. The noble Earl has told us that it is a very little request which he makes of us. But if it is so small a matter, why does be come to the highest branch of the Legislature to make assertions in favour of it? Why does he not go to those who have the management of these various institutions? The working men, notwithstanding the disparagement of their position which we have heard, do not seem greatly to desire this boon. I should like to know why the opinion of the 2,000 eminent artists and men of science of which we have heard is to be taken in opposition to that of the 58,000 artizans mentioned by the noble Earl (the Earl of Shaftesbury). I think the persons who advocate this change should make their sentiments felt in the particular localities where these Museums exist, and the persons who manage these various institutions will be better able to decide than your Lordships how far such a request can be granted. Besides, more or less throughout the country there has been an appeal made to the managers of these various institutions. There has been placed in my hands a list of some eight or ten different places in which the question has been fairly argued by those who know the circumstances of these various Museums and Galleries. As far as I can understand, there are only three places besides Maidstone in which it has been resolved that they should be opened. The noble Earl says that the case of Maidstone should be thrown aside as of no importance. Maidstone being in my diocese, I have some acquaintance with it. There the Museum was opened on Sundays for several years. But it was found by the people of the town that it was being employed for the most part as a mere rendezvous for the young men and women of the place. The result was that the Museum Committee held a meeting, and by a majority it was determined that it should be closed. That took place in a town which is not generally supposed to be under the influence of any religious sect or body. It is of no use telling us that a large number of persons have petitioned against its being closed; the fact that the opening has been tried for three years, and failed, is a better test. I, therefore, think the case of Maidstone is not to be ignored, and that the example of all those other towns in which an appeal has been made to the governing body that they ought to open their institutions, and in which they have refused to do so, is entitled to great weight, as showing that those who are best acquainted with the circumstances of the case are of opinion that the request of the noble Earl should not be granted. I cannot dismiss from my mind the vast number of Petitions which have been presented by working men. I want to know why these working classes themselves show so little desire to have these places open. I believe that it arises from that which the noble Earl opposite has pointed out—that they are convinced that if in great towns these institutions were opened on Sunday, there would be danger in the future of the Day of Rest being taken from them. And though we may ridicule the idea of there being any connection between persons who desire especially rest to enjoy themselves in a healthful and salutary improvement of their minds on the Lord's Day, and those who wish to grind the poor and force them to work seven days instead of six, yet I think working men have some conviction in their minds that there is a connection between doing away with the present observance of the Lord's Day and introducing a more severe system of work than that which at present exists. My Lords, do we not live in an age in which the struggle for existence is every year becoming more intense? And it is impossible to suppose that there is not a vast number of persons now in the country who would desire to acquire some higher wages, and, therefore, would rather sacrifice this day for the purpose of obtaining higher wages than elevate their minds in the manner desired by the noble Earl. As to the case of Sunday trading, in which a great deal has been done of late years, does not all the evidence show that while there are persons most anxious to close their shops on Sunday and not engage any longer in Sunday trading, they are forced by the exigencies of their position to work as other and less scrupulous people around them; that a few persons who are regardless of their highest interests are the means of forcing those who would gladly rest to engage in work from which they wish to be relieved? These, my Lords, are a few of the very difficult matters involved in this question. I trust no one will think that those who oppose the noble Earl on this occasion are less sensible than he is of the privations to which the poor are liable, or less desirous to lend a helping hand to elevate the many poor families who are at present in a depressed position. But, my Lords, I think there are many ways in which, before we entertain the noble Earl's proposal, we may be of use. There is a large number of places of general recreation in the open air, and to enable a number of poor people to go to open places that are accessible in the summer, at least, is a great help to them. Who can have visited Battersea Park or Victoria Park without seeing that a great deal has been done of late years for their comfort and elevation? Who, also, that knows what has been done to open places of innocent amusement during the week is not convinced that many of those who are most strenuously opposed to the opening of these places on Sundays are engaged as much as the noble Earl and all the scientific men and artists who have signed the Petition of 2,000 can possibly be in desiring to elevate the position of the working classes? My Lords, I own the matter is difficult; but I venture to say that a remedy is not to be found in breaking down the barrier which has served us and our fathers for a great many years, and kept this country free from many evils. We do not know what might be the result if it were swept away. We are not to think worse of the English people because they are not capable of enjoying themselves in frivolities like the Parisians. Certainly, I do not think the English people are less happy because they venerate the Lord's Day. What the noble Earl (the Earl of Shaftesbury) said about theatres I think must be allowed to have great force. If you once admitted the principle of this Resolution, I think it would be extremely difficult, indeed, to say that a well-regulated theatre is not to be opened as it is in all the countries which the noble Earl has quoted; and yet I feel confident that neither you nor the working men of this country are prepared to approve a step which would so entirely alter the condition of England as the opening on Sunday of these places of recreation and instruction. I, therefore, feel compelled to resist the Motion of the noble Earl.

THE EARL OF ROSEBERY said, he would not have spoken on this subject had it not been for some remarks which fell from the noble Earl opposite (the Earl of Shaftesbury). Every opinion upon this or any other subject given by the noble Earl, who had deservedly gained the confidence of a large section of the working classes, must command their Lordships' respect; but throughout his speech, he (the Earl of Rosebery) did not discover that his assertions were entirely supported by any statistics which he brought forward. Any industrious organization could always get as many Petitions upon almost any subject as they desired. But the noble Earl, in alluding to the signatures to the Petition against opening Museums on Sundays in the Metropolis, between the end of January and the present time, only stated the number of the signatures to the Petition as 2,600, which was not a very brilliant result of the success of their organization. But there was one very large Petition from the outlying district of Bethnal Green in favour of the closing of the Bethnal Green Museum, the signatures to which were variously stated by the noble Earl opposite and the most rev. Prelate at from 60,000 to 80,000. But in such a case the remedy was easy. If those 80,000 persons who petitioned for the closing of the Bethnal Green Gallery did not like it they need not go there on Sundays; but he did not see that was any argument for shutting it up against those who did like it. He could hardly believe his ears when he heard it stated by the noble Earl that the opening of Picture Galleries and Museums was likely to end in the opening of shops and the general desecration of the Sabbath. He had visited the Aquarium at Brighton on Sundays, and confessed that he had witnessed none of the evils complained of. The labours of cab-horses, cab-drivers, and omnibuses were expatiated upon if these Galleries were opened on Sunday; but the point seemed to him to be that they would not require more cabs or omnibuses to take the people to Museums on Sundays than were at present employed. He (the Earl of Rosebery) remembered a speech of the noble Earl (the Earl of Shaftesbury) on this very subject, in which the noble Earl, who said he had just returned from Paris, announced his satisfaction that the opening of shops and the employment of workmen had greatly diminished there of late years. He himself had gone to the Louvre at Paris, on Sundays on purpose to see the operations of this iniquity, and he had seen crowds of respectably dressed working men poisoning their minds — as he presumed the noble Earl would call it—by contemplating the masterpieces in those Galleries. The noble Earl had said that they had gone a little further, and had burnt down the Hôtel de Ville and the Tuilleries. He could not imagine how the persons who had burnt down the Hôtel de Ville could be identified with those who were in the habit of frequenting the Art Galleries of Paris; and he had not read a single line in the trials of the Communists which even suggested that those who had committed the outrages they were charged with were habitual attendants at those places. If history was to be appealed to, it would be found that there was a word or two to be said on the other side of the question. Some two or three centuries ago the Puritans began to try the remarkable experiment of making Sunday a miserable day; and it had been declared by a high authority that nothing had more largely conduced to the Restoration, and the immorality of the Restoration, than this practice of interfering with the amusements of the people on Sunday. The noble Earl had said that reverence for Sunday was declining fast in this country. He had no means of judging upon that point; but, if such were the case, it certainly was not due to the opening of Picture Galleries on Sundays, and it might be justly concluded that it was brought about by too strict an adherence to the opposite system. The most rev. Primate had said, in accents of anguish which still rang in their ears, that when the experiment of opening a Museum on Sunday was tried at Maidstone, the place was haunted by young men and women, who came there to pass the time. He did not see that they were greatly to blame for doing so, or that there was anything terrible in it; and the course taken by a packed meeting of the Town Council in shutting up the Museum on those days was condemned by a large and enthusiastic public meeting, which recorded an indignant protest against it. The noble Earl had said that, instead of our going to Museums on Sundays, people should go to Battersea Park or to Hyde Park. Well, but people did go to those places now. It was probably owing to our somewhat dreary Sabbath that working men were so fond of attending demonstrations in Hyde Park on a Sunday, and most likely two-thirds of them attended those demonstrations because they had nothing better to do on Sunday. What, however, was to happen to those who lived too far away from Battersea Park or from Hyde Park to walk there? They must either take omnibuses or ride in cabs to get there, and thus the labour of the omnibus drivers and of the cab drivers would be quintupled. Moreover, the suggestion that people should go to Battersea Park or to Hyde Park was scarcely consistent with things at the present time of the year, when the snow was often a foot deep and the atmosphere was in a state of extreme asperity. The noble Earl had asked the pertinent question—"Where are you to stop if you once begin; are you going to open the aquariums, and the theatres, and other profligate places of amusement?" An attentive study of the Resolution, however, would have shown the noble Earl that the proposal was not to throw open all places of amusement on Sunday, but only those which were supported by the State, and thus the theatres and aquariums would not fall within its terms. The noble Earl had said that habitual tavern-goers would not go to the Museums on Sunday even if they were thrown open; but the great mass of the people were not habitual tavern-goers, and he was satisfied that large numbers of people who were now compelled to stay on Sunday all day in their uncomfortable lodgings, or to take journeys by railway, would avail themselves of the opportunity of amusing themselves innocently and quietly in the Museums if they were thrown open. For the reasons he had stated he should give the Resolution his hearty support if it were pressed to a division.

EARL CAIRNS: My Lords, as the noble Earl opposite (the Earl of Dunraven) has referred to a letter written by me some time since, and not intended for publication, but from the statements in which I have no intention to recede, it is only courteous to him that I should notice the observations he has made. In doing so, my first duty is to acknowledge the feelings of benevolence and philanthropy which have actuated the noble Earl in bringing forward this Resolution. I hope, however, that he will not think me ungracious when I express the opinion that his arguments have failed to support his main proposition. The noble Earl who has just sat down has alluded to the fact that the Museums are the property of the nation and are supported by the nation. That circumstance raises a question of some importance. Undoubtedly the branch of the Legislature which has the duty of providing public money for these Museums is the House of Commons; and therefore it is not immaterial to observe what has been the view which the House of Commons has taken of this subject up to this time. On four occasions during the last quarter of a century Motions similar to the present have been brought before that House, and in each instance they have been rejected by an overwhelming majority. Thus, in 1856, such a Motion was rejected by 376 to 48; in 1869 no division took place, the House being counted out; in 1874 the proposal was rejected by 271 to 68, and in 1877 it was rejected by 229 to 87. No renewal of the proposal has been made during the present Parliament. But let us ask ourselves what would be gained by opening these Museums on Sundays. In the first place, the noble Earl admits that they could not be open during the time of Divine Service, and therefore they could not be opened till 1 o'clock, which is the working man's dinner hour. By the time he has had his dinner and walked to the Museum it will be 3 o'clock, and in this climate it is necessary that these Institutions shall be shut at 4 o'clock during two-thirds of the year. During the summer they might be open later; but during the summer they would be little resorted to. Therefore, to enable the working man to visit these places for one hour on a Sunday afternoon, the whole staff would have their Sunday taken from them. Is it worth while to make the proposed change for the sake of such a result? Then it is said that the great object of this alteration is to obtain a rival to public-houses. But there will be no such rivalry. In London the public-houses are opened at 1 o'clock on Sundays, closed again at 3, and continue shut until 6. Therefore, during the very time that these places of amusement will be open, the public-houses will be shut. But then, again, there will be great danger in bringing 2,000 or 3,000 working men together for a short time on Sunday, as it may have the very result, when the Museum closes, of inducing them to enter the public-houses in the neighbourhood. To show what the publicans themselves think on the subject, I may state that it is asserted that the publicans have petitioned in favour of this proposal in the belief that, if carried into effect, it would increase their Sunday trade. The noble Earl, in the course of his remarks, referred to the experience which had been gained with reference to Sunday opening. Let me remind your Lordships as to what was the experience of the Duke of Westminster on the same point. The noble Duke, as everybody knows, with the greatest liberality, threw open his magnificent Gallery of Pictures for the enjoyment of the people on Sundays; and, as the result of his experience, he felt himself bound to admit, on the last discussion on this subject in this House, that it was not a working class question at all. The working classes did not largely visit his Galleries; but those who did visit them were people of a higher class, not likely to be tempted into intemperance, so that, in his view, the opening of such places was not in any way calculated largely to diminish the evil of intemperance. I venture to suggest that the proposal which has been made by the noble Earl near me (the Earl of Shaftesbury) would, if acted upon, confer a great boon upon the working people of the Metropolis. His proposal is that some of the great National Institutions in London should be opened from 7 to 10 on the evenings of three days in each week, and that proposal is based on the recommendation of a Select Committee of the House of Commons, which inquired fully into the whole subject as far back as the year 1860. I was certainly surprised to hear the noble Duke (the Duke of Somerset), who is a Trustee of the British Museum, say to-night that the working classes would not be able to go to such Institutions on week day evenings after the fatigue of their day's work. Does the noble Duke know the extent to which these men go to night schools, and sit for hours after the close of a hard day's work for the purpose of improving their minds? And, if he does, how can he say that they would be too fatigued to visit such Institutions as the British Museum and the National Gallery within the same hours? In addition to night schools to which working men resort there are also evening concerts for their especial benefit, and these, too, are largely attended. There was a strong objection raised some time ago to the opening of Picture Galleries by night, on the ground that the quantity of gas it would be necessary to consume in order that the pictures might be properly seen would greatly damage the pictures. I believe that objection was well founded; but we are now in a state of transition to a better condition of things as far as lighting is concerned. I have seen very lately a Picture Gallery lighted by electricity with the most perfect success; and I look to the time when it will be possible, by means of the electric light, to see the pictures in our great Collections by night to much greater advantage than they can now be seen by the ordinary light of a London day, and without the slightest injury to the pictures themselves. The noble Earl who brought forward this Motion said he had no fear that the opening of public Museums would be followed by the opening on Sunday of other places of amusement; and he asked whether the people of this country could not be trusted to know the difference between right and wrong? That is the very question; but upon that comes this other question, as to where the right ends and the wrong begins. The noble Earl also said that he was in favour of Free Trade; but he seems to forget that there is no trade in this country larger than the trade in amusements, and what would he have to say to the working men who objected to the Government having a monopoly in this respect and opening the National Galleries and collections, while refusing the same privilege to private institutions which provide innocent amusement for the people? Then, again, let me ask what is the ground on which the legislation and practice of this country have proceeded in regard to the observance of Sunday? My Lords, I maintain that this legislation and practice could not have been maintained for a year if they were to depend upon merely human law. If that were the only sanction, this country would say—"You have no right to take possession of a portion of our time in that way. Every person must judge for himself whether he would like to employ his whole time in work or not." The institution of Sunday has, in my opinion, maintained itself amongst us; and we have reaped from it moral, physical, and religious benefits only because a vast majority of the people, altogether irrespective of Churches or denominations, are convinced that the institution depends, not upon human law, but upon a higher law which we are all bound, in conscience, to obey. If your Lordships by your vote lead the country to think that the institution of Sunday has no such foundation and sanction as those to which I allude, you will shock the consciences of a vast majority of the people of this country, and also lead, in my opinion, to the destruction of Sunday as a day of rest. The noble Earl (the Earl of Dunraven), I have no doubt, has no such desire. But he is the President of the Sunday Society, of which Society Professor Tyndall, whose great scientific attainments we all honour, is one of the Vice Presidents. Professor Tyndall last autumn delivered a lecture in Glasgow, as the representative of the Society—a lecture which has been published and largely circulated—and it was to this lecture I referred in the letter of which the noble Earl has spoken. I am bound to say—and I say it with the deepest pain and regret—that I look upon the lecture as an attack upon Sunday as a Divine institution, and also as an attack on a large portion of what we regard as Scriptural and revealed truth. Therefore it is I say this Motion will be looked upon throughout the country as a Motion founded on the principles laid down in that lecture; and I cannot but deplore it as a Motion which, if it receive your Lordships' sanction, would strike pain and dismay into the hearts of a great majority of the people of this country.

EARL GRANVILLE: My Lords, I will only occupy your Lordships for a I could not improve upon the arguments short time, for two reasons, first - because advanced by the noble Earl who introduced the Motion; and, secondly, because the Motion is one in which the Government take no part whatever. This attitude on the part of the Government is, I think, perfectly justifiable, as, in these social questions, it is not wise to take action until there is certainty that the general opinion of the country is in favour of such a course. The noble and learned Earl opposite (Earl Cairns) has reminded your Lordships that the House of Commons, by considerable majorities, have from time to time decided that in the present divided state of public opinion the question is not ripe for settlement; and therefore Her Majesty's Government are, I think, perfectly right in keeping their minds open upon the subject. Anything that I say is simply as an individual; and I am not going to repeat the arguments used in favour of the Resolution of my noble Friend. As has been already stated, my noble Friend has stated his argument so clearly that it is not necessary to follow in that direction. But I may be permitted to make a few remarks on the arguments which have been used against the proposal. The most rev. Prelate complimented my noble Friend (the Earl of Shaftesbury) on the obvious sincerity of his speech, and I believe that those who oppose the Motion are as sincere in their opposition to the proposed change, if change it be. But, having made that admission, I think that the opponents of the Motion have shown some ingenuity in their mode of doing so, both with respect to the Amendment of the noble Earl and to some of the arguments which they have used. As to the Amendment, I do not say that it is good or that it is bad. I am rather in favour of it; but it appears to me to be merely an ingenious device to defeat the Motion of my noble Friend. The two things do not clash at all, because it would be perfectly possible to light those places in the evening, and to have them open on Sunday as well. Therefore I am not bound to give an opinion in favour of the Amendment; but I must say that the argument against the opening of Museums and Galleries on Sunday does not carry conviction with it. It appears to me that the opponents of the Motion have lost sight of one very important fact—namely, that this is not a novel proposition. The state of things which it is said will be fraught with such terrible consequences exists in the suburban districts. The Picture Galleries and Museums of Greenwich, Hampton Court, and Kew — and not only that, but of Dublin also, and some of the largest towns in England, such as Manchester, Birmingham, Middlesbrough, and Macclesfield—have been opened, as Libraries have also been, and these experiments have been successful. What I should have expected would have been done by those who objected to this Motion was to have shown that the experiment having been tried in these several places had utterly failed, and produced the bad consequences that had been prophesied. I know some of the towns in question, and have made inquiries on the subject, and I am informed that the opposition to the opening of Museums and Picture Galleries on Sundays has entirely ceased. The most rev. Prelate brought forward Maidstone as an example of where the experiment had failed. The noble Earl (the Earl of Rosebery) has dealt with that. Maidstone is not a large town, and as for the failure all that was shown was that a certain number of young men and women went to the Library on Sunday evenings to pass their time. I think that was the very best thing they could do, and certainly very much more desirable than that they should have gone to pass their time in public-houses. It is said that if you open the Picture Galleries and Museums, the theatres also will soon be opened. But has any theatre been opened in the towns which I have mentioned? The noble and learned Earl opposite (Earl Cairns) made use of a most ingenious argument — though really the weight which attaches to it is very small indeed—as to the number of hours during which you would give facilities to the working classes for visiting these places. It is true that during three or four months of the year the time at their disposal would be very limited. But during eight or nine months there is plenty of time to open Museums on Sunday. The noble and learned Earl brought forward, at the end of his speech, an argument based on very high grounds. He put aside all those lower considerations, and put it entirely on the question of Divine obligation. The noble and learned Earl made some severe remarks with respect to a lecture, which I have not read, delivered by a gentleman who seemed to deny the Divine obligation of the Sabbath. But is it not true that such distinguished men as Paley, Dr. Whately, and Jeremy Taylor have raised questions as to the Divine obligations of the Sabbath? My Lords, I put that aside altogether and ask, Is it possible to introduce this as a practical argument, when the State has gone so far as to throw open those Institutions in the neighbourhood of London and in the great towns, and has done so without the slightest inconvenience or public disadvantage? As I have said, my Lords, without at all binding Her Majesty's Government, and without wishing to exclude any one of your Lordships from his right to vote against the Motion if he feels so inclined, I shall, as an individual, vote for the proposal of my noble Friend, and with regard to what has been said as to your Lordships' House not giving an opinion on the subject, I must say I think it very desirable that that opinion should be given, for I can conceive no assemblage more competent than this to express an opinion with respect to it.

THE DUKE OF ARGYLL: My Lords, as last year I absented myself from the debate which took place on this subject, I wish to say a few words as to the grounds on which I shall give my vote for the noble Earl opposite (the Earl of Shaftesbury). I was very glad to give way to the noble and learned Earl (Earl Cairns) opposite, as he argued the question with his usual ability, and in many of the arguments he used I entirely concur. I cannot help expressing the respect, and I may almost say the admiration, with which I listened to the speech of the noble Earl behind me (the Earl of Dunraven) who introduced the Motion. I never heard a case put more moderately, temperately, or in a more reasonable manner. But in listening to that speech I could not help detecting in it arguments which went farther than the conclusions to which he pointed. The noble Earl distinctly expressed an opinion in favour of free trade in this matter, and he said that the working men might be thoroughly trusted, and that there was no reason for restricting them as to the mode in which they should spend their Sabbath. Whether that be true or not, I think we are bound to go a great deal further if we adopt the Motion, and to remove all restrictions in the way of what is called recreation and amusement which may be open to the working-classes. I object to that, and on the ground mentioned by the most rev. Prelate. I do not think that this House ought to adopt abstract Resolutions. It is no argument in favour of such a Resolution that the opening of Museums in certain localities has been attended with a certain amount of success. So long as it is legal to open them, they can be opened by those who are responsible for their management. But are we, therefore, my Lords, to pass a Resolution which will compel us to open all National Galleries and Museums? And here I cannot help expressing my surprise at what the noble Duke (the Duke of Somerset), my Colleague as Trustee of the British Museum, said. No doubt it is true, as he stated, that we have no official position in the matter. We are servants of Parliament and of the Government, and if Parliament and the country determine to open the Museums on Sundays, we are bound to make the best arrangements we can for doing so. But the noble Duke said that under no circumstances could the Library of the Museum be opened. Well, only the other day I heard from my right hon. Friend Mr. Chamberlain, as an argument in favour of opening those Institutions, that in Birmingham they had done so, and that the most valuable, and that most resorted to, was the Library, to which people went, not only to read amusing, but also religious books. And I must raise a question with respect to what the noble Duke said as to other departments of the British Museum. He said you allow the people to see gardens, why not allow them to see minerals? Well, my Lords, I doubt whether there is any department which would require so many attendants as the Mineral Department, if it were opened, there being there valuable jewels, specimens of inestimable value; and it would be impossible to throw it open unless you procured the services of a large number of attendants. I agree with the noble and learned Earl (Earl Cairns) opposite that the whole system of existing legislation in this day depends upon the assumption that there is a religious obligation attaching to the Christian Sunday. My noble Friend behind me (Earl Granville) alluded to the fact that there have been great questions raised by many Divines as to the relation between the Jewish Sabbath and the Christian Sunday. Such men as Jeremy Taylor and Calvin have disputed whether the obligation of the Christian Sunday is exactly the same as that of the Jewish Sabbath; but that is a very different thing from saying that there is no Divine authority at all for the Christian Sunday. I agree with the noble and learned Earl opposite that while we have legislation which prohibits Sunday amusements for which money is given, it will be difficult to defend the system, unless you keep to the doctrine of religious sanction. Therefore I can quite account for the jealousy with which the working classes look at this proposition—I mean, that portion not specially animated by religious feeling. We know that there is a large portion of the artizan class who are not attached to any particular Church, and who have no strong or definite theological opinions. Nevertheless, you will find among them the greatest possible jealousy as to all those notions tending to the alteration of the Christian Sunday. What is this instinct founded upon? It is the feeling, perfectly well-founded, that when you break down the religious sanction of the day the legal sanction would be broken down also. Reference has been made to the way in which Sunday is spent in other countries. In South Germany, the other day, I was much struck by the fact that works of construction were carried on as extensively on Sunday as on other days, and the scaffolding outside one of the finest churches was occupied by men who were at work on the building. The working classes of this country feel that if the regard for Sunday were broken down in one respect it would be broken down in others. I think this is a well-founded jealousy; and on all these grounds I shall vote against, as being inexpedient, an abstract Resolution tending in a direction of which the working classes of this country are justly jealous.

Lord THURLOW said, it seemed to him that all the arguments were on one side. He knew that Petitions could be procured in any number in proportion to the funds expended by societies or individuals in getting them up, and there were Petitions against the Sunday opening of Institutions which were unmistakeable in their character and origin. What could the people of remote country villages know of the requirements of the working classes in London? On the other hand, there was a genuineness deserving of every consideration in the Petitions in favour of opening from the Metropolis, signed by thousands of the members of different trades and occupations, and of working men's clubs and other associations, the majority being men of independent opinions, not amenable to influences like those which produced opposing Petitions from country villages. He should support the Motion, the arguments against which could only be founded on antiquated prejudice; and he maintained that where Galleries or Libraries had been opened there had been no offence against public order or morality as a consequence.

The Earl of DUNRAVEN said, objection had been taken to the statement in his Resolution that opposition had ceased, and to show that it had not ceased reference was made to the Petitions presented. But it was admitted that that opposition had been organized since he gave Notice of the Resolution; and when there was no opposition beyond what was stimulated in that way it was a fair inference that there was no opposition to the Sunday opening of Museums.

On question that the words proposed to be left out stand part of the motion? Their Lordships *divided:*—Contents 34; Not-Contents 41: Majority 7.

CONTENTS.

Somerset, D.

Camperdown, E.
Derby, E.
Granville, E.
Ilchester, E.
Kimberley, E.
Morley, E.
Spencer, E.

Aberdare, L.
Blantyre, L.
Boyle, L. (*E. Cork and Orrery.*)
Brabourne, L.
Coleridge, L.
Dorchester, L.
Elgin, L. (*E. Elgin and Kincardine.*)
Harris, L.
Kenry, L. (*E. Dunraven and Mount-Earl.*) [*Teller.*]
Lawrence, L.
Manners, L.
Monson, L.
Mont Eagle, L. (*M. Sligo.*)
Ramsay, L. (*E. Dalhousie.*)
Ribblesdale, L.
Romilly, L.
Rosebery, L. (*E. Rosebery.*)
Sandhurst, L.
Stanley of Alderley, L.
Strafford, L. (*V. Enfield.*)
Sudeley, L.
Suffield, L.
Thurlow, L. [*Teller.*]
Waveney, L.
Wentworth, L.
Wigan, L. (*E. Crawford and Balcarres.*)

NOT-CONTENTS.

Canterbury, L. Archp.
Selborne, L. (*L. Chancellor.*)

Marlborough, D.
Northumberland, D.
Richmond, D.
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Beaconsfield, E.
Bradford, E.
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The Duke of Argyll

Feversham, E.
Nelson, E.
Redesdale, E.
Selkirk, E.
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Waldegrave, E.

Cranbrook, V.
Hawarden, V.
Templetown, V.

Bath and Wells, L. Bp.
Carlisle, L. Bp.
St. Albans, L. Bp.

Brodrick, L. (*V. Midleton.*)
Byron, L.
Congleton, L.

Cottesloe, L.
Denman, L.
Ebury, L. [*Teller.*]
Ellenborough, L.
Foley, L.
Forester, L.
Harlech, L.
Lovel and Holland, L. (*E. Egmont.*)
Ormathwaite, L.
Penrhyn, L.
Saltersford, L. (*E. Courtown.*)
Shute, L. (*V. Barrington.*)
Sundridge, L. (*D. Argyll.*)
Tollemache, L.
Windsor, L.

Resolved in the *negative.*

Then it was *moved* to add the following words ("a Select Committee of the House of Commons on Public Institutions having reported on the 27th of March 1860, 'that such Institutions as the British Museum and the National Gallery should be opened on week day evenings to the public between the hours of seven and ten in the evening at least three days in the week,' this House is of opinion that the time has arrived when this recommendation should be carried out.")

Resolved in the *affirmative;* and motion, as amended, *agreed to.*

RULES OF THE HOUSE—RENEWAL OF MOTIONS.—QUESTION.

Lord DENMAN asked Her Majesty's Secretary of State for Foreign Affairs, To what Standing Order or precedent or usage of the House of Lords he alluded when he denied the right to renew a Motion on a subsequent day after it had been withdrawn by the leave of the House?

Earl GRANVILLE, in reply, said, that it was the universal practice not to allow a Motion once put to be repeated in the same Session. There was no precedent in favour of a Motion which had been either negatived or withdrawn being repeated.

Lord DENMAN said, that as there was no precedent against such a course, he would set the Motion down for the 25th, instead of the 24th, as originally intended.

House adjourned at a quarter past Eight o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 22nd February, 1881.

MINUTES.]—Public Bills—*First Reading*—Parliamentary Elections (Expenses and Second Election) * [93].

Second Reading—Free Libraries [43], *debate adjourned.*

Considered as amended—Protection of Person and Property (Ireland) [90].

Withdrawn—Parliamentary Elections (Expenses) [36].

QUESTIONS.

THE ORDNANCE SURVEY.

Mr. PUGH asked the First Commissioner of Works, Whether he can inform the House what steps have been taken, since an additional sum was last Session voted for that purpose, to accelerate the completion of the Ordnance Survey?

Mr. SHAW LEFEVRE: Sir, in reply to the Question of my hon. and learned Friend, I have to say that in consequence of the promise given last Session every endeavour has been made to accelerate the survey. A Supplementary Estimate for £5,000 was voted at the end of last Session. I shall ask shortly for another Supplementary Estimate for the current year of £3,000, and for next year the Vote asked for will be £40,000 in excess of last year. This will enable a very considerable acceleration of the survey, as much as will be possible within the time, and with some further increase in subsequent years the survey may be completed by the year 1890.

A MONETARY CONFERENCE.

Mr. J. K. CROSS asked the Under Secretary of State for Foreign Affairs, Whether any communications have been received from the French or American Governments respecting a proposed Monetary Conference?

Sir CHARLES W. DILKE: Sir, Her Majesty's Government have as yet received no invitation to send delegates to a new Monetary Conference; but they have reason to believe that such an invitation may shortly be received.

POST OFFICE SAVINGS BANKS.

Mr. HARCOURT asked the Postmaster General, Whether he will state, for the information of persons who may be desirous of establishing Post Office Savings Banks (under guarantee) in remote rural districts, what arrangements will be made in respect to local officials now acting as postmasters or postmistresses in such districts; whether the facilities offered by the Postmaster General in respect to Post Office Savings Banks in rural districts will (if they are taken advantage of) involve loss of livelihood to many of the present humble officials; and, if such should be the case, whether provision can be made in future for the appointment of rural officials, who, in case of the establishment of Post Office Savings Banks, will be competent to retain their situations?

Mr. FAWCETT, in reply, said, that, though in many cases money order offices had recently been established in the rural districts, he was unable to discover that a postmaster or postmistress, or any other official connected with the Post Office, had, in consequence, been dismissed. He hoped, therefore, that as no hardship had arisen in the past, none would occur in the future.

POST OFFICE—POSTAL NOTES.

Sir ANDREW LUSK asked the Postmaster General, Whether the Post Office pays to strangers, on demand, postal notes presented by them; whether, in such cases, any, and, if so, what steps are taken to identify the holder; and, whether, as a matter of fact, and in the absence of any suspicious circumstances, such notes are, if in order, paid at once on demand?

Mr. FAWCETT: Sir, when a postal order is presented to a postmaster for payment the regulations prescribe that he shall examine it carefully to satisfy himself that it is a genuine document, that he shall see that it has been made payable at his office, that the payee's name has been inserted in the body of the order, and that the person presenting it signs his name, whether he is the payee or not, in his presence. Should the postmaster be satisfied on all these points he cashes the order at once. Should he not, he suspends payment to make inquiry.

RAILWAY PASSENGERS' COMMUNICATION—THE CORD SYSTEM.

Mr. ARMITAGE asked the President of the Board of Trade, Whether it is true that the "cord system" of communication between Railway passengers and Railway servants has been condemned as ineffective; and, whether the Board have taken, or intend to take, any, and what, steps for the protection of Railway passengers in this matter?

Mr. CHAMBERLAIN: It is true, Sir, that some years ago the Board of Trade withdrew their approval of the "cord system" of communication on railways, because they considered it ineffective. It appears that the 22nd section of the Railways Regulation Act, 1868, is the section under which the Board of Trade acts; but it gives no power to the Board to initiate any system of communication, but only to approve or disapprove those that are submitted to it. I may add, however, that any Railway Company making default in regard to the section of the Act mentioned is liable to a fine of £10 in the case of each default.

SOUTH AFRICA—CONVEYANCE OF TELEGRAMS.

Sir HENRY TYLER asked the Secretary to the Treasury, What payments have been made by Her Majesty's Government to steam packet owners for landing telegrams from Natal or the Cape Colony at St. Vincent since the breaking out of the Zulu War?

Lord FREDERICK CAVENDISH: Sir, payments amounting to £2,750 have been made to steampacket owners for calling at St. Vincent in order to expedite telegrams either to or from the Cape of Good Hope.

EDUCATION DEPARTMENT—WORKING-CLASS LECTURES.

Mr. FIRTH asked the Vice President of the Council, Whether his attention has been drawn to complaint recently made against the Education Department as to a reduction in the facilities hitherto afforded in Jermyn Street and South Kensington for the working classes attending the lectures there on chemistry, natural history, and mineralogy; and, whether he is prepared to provide such facilities as will enable as many of the public as wish to attend adequate opportunities for doing so?

Mr. MUNDELLA: Sir, the attention of the Education Department had not been called to the subject of the hon.

Member's Question till a letter appeared in *The Times* last week. The course of lectures specially referred to in that letter will be delivered at Jermyn Street as usual. We have no intention whatever to reduce the facilities hitherto afforded for the attendance of the working classes at lectures on scientific subjects; but in some cases where the apparatus by which the lectures are illustrated is delicate or difficult of transport it may be necessary that the lectures should continue, as during some years past, to be given at South Kensington, where the use of the large theatre will enable accommodation to be supplied for as large an audience as in Jermyn Street.

ARMY—TIPPERARY BARRACKS.

MR. A. MOORE asked the Secretary of State for War, Whether it is intended to carry out the original plans adopted by the War Office for the new barracks at Tipperary; and, if so, whether, to meet the existing dearth of employment, he would set such works on at once?

MR. CHILDERS: Sir, in reply to the hon. Member, I have to state that it is not intended to add to the existing barrack accommodation at Tipperary, which is sufficient for the requirements of the Service.

STATE OF IRELAND—SPEECH OF MR. PARNELL AT CLARA.

MR. FINIGAN: Sir, before the hon. and learned Member for Beaumaris (Mr. Morgan Lloyd) asks the Question which stands in his name I rise to a point of Order. I wish to ask whether it is in accordance with the procedure of this House that the Attorney General should decide a point of law? This point of law is involved in the second part of the Question.

MR. SPEAKER: I see no ground for interposing between the hon. and learned Member and the House. If he desires to put his Question to the Attorney General, the Attorney General will make his answer on his own responsibility.

MR. MORGAN LLOYD asked Mr. Attorney General for Ireland, if his attention has been called to a speech which appeared in the "Times," "Standard," and other newspapers this morning, alleged to have been delivered in Ireland yesterday by the honourable Member for Cork City, containing the following passage:

> "I do not myself think that the evictions will be very numerous, but a practical piece of advice that I might give you would be this, that where the landlords persist in evicting any tenant, the tenant should call his neighbours in a few days before the eviction and plough up all the ground, and leave it with him in that condition. They will then not be able to turn cattle on the land to graze;"

And, whether such advice is not an incitement to the commission of a malicious injury to property and an offence against the Criminal Law of Ireland?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): Sir, in reply to the Question of my hon. and learned Friend the Member for Beaumaris (Mr. Morgan Lloyd), I have to say that the only report of the speech in question which I have as yet seen is that given in some of yesterday's papers. I beg, however, to assure my hon. and learned Friend that the matter to which he refers is receiving and shall receive very careful consideration.

STATE OF IRELAND—EVICTIONS.

MR. W. CORBET asked the First Lord of the Treasury, If his attention has been called to the following statement printed in the "St. James's Gazette" and other London papers of Saturday the 19th instant:

> "Several evictions took place yesterday on the estate of Mr. McGeough, J.P. near Newtownhamilton, county Armagh. The sheriff was attended by his bailiffs, and the decrees were enforced under the protection of fifty policemen. Many painful scenes were witnessed; children and aged persons, some of the latter being in very delicate health, were cast out on the road side. The peasantry gathered in large numbers; some of the women threw stones at the bailiffs, and invoked curses on the landlord: but the police behaved with forbearance and kindness, supplying with money the most destitute of those who were evicted;"

whether, in order to prevent the occurrence of such scenes, he will at once introduce his promised Land Bill as a measure of urgency, and use all the power vested in him by Mr. Speaker's New Rules to pass it into Law; and, if not, whether he will, when the Bill for the Protection of Person and Property in Ireland comes up for Report, introduce a Clause into it to stay evictions while it remains in force, should it become Law, with a view to the protection of the lives of Her Majesty's poorer subjects in Ireland?

MR. GLADSTONE: Sir, in regard to the first part of the Question, I have been informed by my right hon. Friend the Chief Secretary for Ireland of the general purport of this statement. I do not imagine that the hon. Gentleman wishes to address to me any Question on that statement except for the purpose of eliciting the fact of my being cognizant of it. With respect to the second part of the Question, I have to state that I hope, on Thursday, to be able to be in a position, with reference to the probable progress in the interval of the Bill now before the House, to make some additional statement to the House as to the future course of Business as far as it depends on the Government. With regard to the third part of the Question, as to whether we will, when the Bill for the Protection of Person and Property in Ireland comes up for Report, introduce a clause into it to stay evictions while it remains in force, I have to say that we do not intend to propose such a clause.

SOUTH AFRICA—THE BASUTOS (NEGOTIATIONS).

MR. CROPPER asked the Under Secretary of State for the Colonies, Whether the Basutos have asked to be permitted to negotiate directly with the Representatives of Her Majesty's Government instead of with the Cape Ministry; and, if so, whether Sir Hercules Robinson has been instructed to accede to their request?

MR. GRANT DUFF: Yes, Sir; that was the drift of the Petition to Sir George Strahan last month. That Petition led to the suggestion of Sir Hercules Robinson, made with the approval of his Ministers, that if the Basutos now in rebellion against the Crown should place themselves unreservedly in his hands, they should receive treatment at once just and generous. That suggestion further led to the deliberations with a view to which the present armistice was granted.

NAVY—TRICHINOSIS—AMERICAN PORK.

SIR JOHN HAY asked the Secretary to the Admiralty, If the Admiralty are taking precautions in regard to the ration of pork for the Navy in consequence of the serious outbreak of trichinosis in America, which has caused the French Government, as reported, to forbid the importation of American pork?

MR. TREVELYAN: Sir, of the salt pork used in the Navy, about a third is supplied by Irish curers, and two-thirds by Danish firms, who deliver at Deptford cheaper than the Irish; and, in either case, to substitute American pork would be a distinct breach of contract. Both Danish and Irish pork, apart from the fear of trichinosis, is better suited for Navy purposes than the American; so much better, that the presence of American pork could be detected in the barrels. But another and more effective precaution is afforded by the determination of the Admiralty to deal only with responsible and reputable firms, a determination to which they, in all cases, take the utmost pains to adhere.

MR. DIXON-HARTLAND asked the Vice President of the Council, If he has seen that the importation of pork from the United States has been prohibited in France, Russia, Italy, Austria, Spain, Portugal, and Greece, in consequence of the prevalence of trichinosis and the hopelessness of inducing the poorer classes to disinfect the pork and so prevent disease; and, whether he is prepared to forbid its introduction into Great Britain and Ireland?

MR. MUNDELLA: Sir, as the Question of the hon. Member affects large interests, and only appeared in the Paper for the first time this morning, I am not able to answer it as fully as I could wish. We have no official information that the Governments of the countries referred to by the hon. Member have prohibited the importation of pork from the United States; but we are making inquiries, through the Foreign Office, as to this part of the Question. The importation of pork-bacon and ham into this country exceeds 5,250,000 cwts. (nearly 20 lbs. per head of the entire population), and the estimated value exceeds £9,500,000. Nearly the whole of this comes from the United States, Canada, Germany, and Belgium, and this is exclusive of the importation of live swine. To cut off such an enormous supply of animal food would inflict great hardship on the poorer classes, and could not be done except upon the most urgent necessity, and after the gravest consideration. It would not suffice to prohibit the American supply without prohibiting the importation from all other countries—the disease exists in other countries as well as America—for so long as any country admits American pork the trade is of such magnitude and importance that we should be sure to receive supplies at second hand. We have made inquiries of the Local Government Board, and we find no report of trichinosis in this country. Two years ago there was a report of an outbreak on board a training ship, which has since been investigated, and the medical authorities are satisfied that it was not trichinosis. The Duke of Richmond and Gordon, when Lord President in 1879, was asked a similar Question, and in his reply he called attention to the fact that safety was only to be found in the thorough cooking of pork, whether fresh or salt. And it is only reasonable to suppose that the practice of eating smoked sausages, ham, and imperfectly cooked pork on the Continent and in Northern Europe, has contributed to the spread of this terrible disease; whereas, in this country, where the importation has been on so large a scale, there has been no serious disease, owing, as we believe, to the thorough disinfection by cooking at a high temperature.

TUNIS—THE ENFIDA CASE.

SIR H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether, on the 12th of January last, Mr. Levy, a British subject, having been admitted by the necessary legal formalities to possession of the property called "Enfida," in Tunis, left in occupation of the house one Salvatore Schembri, a British subject, and one Ahmed Trudi, a Tunisian; whether, the next day, on the refusal of these agents to vacate the house, they were assaulted and forcibly expelled therefrom by M. Robin, the Chancellor of the French Consulate General at Tunis, and one Buhawela, a dragoman of the said Consulate General; whether, apart from the general question at issue, any representation has been made by Her Majesty's Government to the Government of France as to this act of violence committed by French public officers against the persons, servants, and property of British subjects; and, whether the French Government have made, or propose to make, any reparation for the acts of their officers?

SIR CHARLES W. DILKE: Sir, Her Majesty's Government have been informed that the French officials were not aware that the persons ejected were the duly empowered agents of Mr. Levy, and were only present for the purpose of executing certain notarial formalities; but took no part in the violent expulsion. Her Majesty's Government have made no special representation to the French Government on the subject of the assault, and consider that it should be dealt with in connection with the general question, which, as I have already informed the House, has been referred for the consideration of the Law Officers of the Crown.

SIR H. DRUMMOND WOLFF inquired, whether a Report on the subject had been received from Her Majesty's Consul General at Tunis?

SIR CHARLES W. DILKE: Yes Sir; Reports have been received from Her Majesty's Consul General at Tunis. These in part confirm the statements in the Question; but they do not entirely do so.

SOUTH AFRICA — THE TRANSVAAL (MILITARY OPERATIONS)—REINFORCEMENTS.

SIR HENRY TYLER asked the First Lord of the Treasury, Whether, after the receipt in England on the 4th December of Sir George Colley's telegram, to the effect that the attitude of the Boers required increased force at Pretoria, any offers of reinforcements were telegraphed to him by the Home Government before the 21st December; and on what date the first offers of reinforcement were made to him?

MR. GLADSTONE: Sir, I am glad to have an opportunity of answering this Question, for I think the hon. Baronet has put it under some misapprehension. It is quite true that on the 4th of December Lord Kimberley received a telegram from Sir George Colley to the effect that the attitude of the Boers required increased force at Pretoria, and that a portion of the 58th Regiment was sent into the Transvaal at that time. But it would be quite a mistake to suppose that that message from Sir George Colley indicated in any degree any deficiency in the aggregate force in South

Africa. What happened is this. A portion—I think a battalion—of the 58th Regiment was brought from the Transvaal to Natal a short time before, a good deal, I believe, with reference to considerations of health and convenience; and it was a mere local and administrative measure. The portion of the regiment had been brought down a short time before, and on that occasion Sir George Colley thought fit to send it back again. That was the whole scope of his communication, and it had no reference to any increase of the force in South Africa at all.

Sir HENRY TYLER asked the Secretary of State for War what was the actual force in the Transvaal and at Pretoria?

Mr. CHILDERS: The hon. Baronet asks me a Question without Notice, and I can only answer it from memory. There were four regiments of the Line at the time in Natal and the Transvaal. Those four regiments had been there for some time. There has been no reduction in the Line regiments, and they have remained there since.

NAVY—COURT MARTIAL AT SYDNEY—CASE OF C. P. STAMP.

Mr. MACDONALD asked the Secretary to the Admiralty, If he can give any information in regard to a court-martial held at Sydney, New South Wales, on the 20th December last, on board H.M.S. "Wolverene," by which Charles P. Stamp, engine-room artificer of H.M.S. "Danæ," was sentenced to be imprisoned for twelve months with hard labour; whether he is aware that a considerable amount of sympathy has been expressed by the inhabitants of that city, on the ground that they consider the punishment excessive; and, if he has no information, will he cause inquiries to be made into the circumstances of the case, so that he may give information on a future day?

Mr. TREVELYAN: Sir, on the 20th of September this man, who had returned off leave that morning, went up to the ship's corporal and struck him on the side of the head, and was making at him again if he had not been prevented by a stoker. While the case was being investigated by the senior lieutenant, Stamp again struck the ship's corporal in the officer's presence. He pleaded "Guilty," and was sentenced to dismissal and imprisonment. That is the plain story from a Service point of view; but circumstances have come to the knowledge of the Board of Admiralty which may lead them to mitigate the punishment. The man is now on his way home.

MALTA (TAXATION).

Mr. MAC IVER asked the Under Secretary of State for the Colonies, Whether any actual reduction in the taxation of Malta is contemplated, or if it is intended to substitute other taxation for the duties upon imported grain which are now proposed to be remitted?

Mr. GRANT DUFF: Sir, no reduction in the total amount of taxation is contemplated. If the Council determines to diminish the Grain Duties, as I hope it may, it will find a substitute for them.

NAVY—PROMOTION FROM THE RANKS.

Sir JOSEPH BAILEY asked the Secretary of State for War, How many commissioned officers serving in the Army have been promoted from the ranks, and what rank they now hold, with the number in each rank?

Mr. CHILDERS: In reply to the hon. Baronet, I have to state that the total number of commissioned officers promoted from the ranks is 329. The number is made up as follows:—Lieutenant-general, non-effective, 1; major-general, effective, 1; colonels, 3; lieutenant-colonels, 6; majors, 7; captains, 41; lieutenants, 26; second lieutenants, 17; riding-masters, 33; quartermasters, 194—Total, 329.

FRANCE—COMMERCIAL NEGOTIATIONS.

Mr. MAC IVER asked the Under Secretary of State for Foreign Affairs, Whether he can now give the House any assurance that the negotiations with the French Government with regard to a Commercial Treaty will result in the reduction or abolition of import duties on British and Irish manufactures, other than "shoddy," in the abandonment of the bounty system, and in the abolition of the "surtaxe d'entrepôt"?

Sir CHARLES W. DILKE: As formal negotiations have not yet commenced, it is impossible for me to give any assurances as to their results.

LEGISLATIVE MEASURES FOR IRELAND—THE ARMS BILL—THE LAND BILL.

Mr. CALLAN asked the First Lord of the Treasury, Whether he purposes making any statement of the nature and extent of the intended proposals of Her Majesty's Government with respect to the tenure of land in Ireland, before proceeding with the Bill—notice of which stands in the Paper in the name of the Chief Secretary to the Lord Lieutenant of Ireland—relating to the carrying and possession of arms in Ireland; and, if the Arms Bill be forced on under the plea of urgency, he will move that the Irish Land Bill should also be declared a matter of urgency?

Mr. GLADSTONE: Sir, at present I can only state, in reply to the Question of the hon. Member, that Her Majesty's Government have no intention of explaining the nature and extent of their proposals with regard to the tenure of land in Ireland until they are in a position to lay the Bill on the Table, and until they have a reasonable prospect—I hope it will be an early one—of proceeding with it. With regard to the other matter, I would refer the hon. Member to the statement which I have already made, that I hope to be able on Thursday to make such an explanation as to the views of the Government in respect to the course and progress of Business as may be for the convenience of the House.

TUNIS—THE ENFIDA CASE.

Sir H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether the Foreign Office was in possession of affidavits to the effect that the officers of the French Consul General at Tunis took part in the assault on the agents of Mr. Levy?

Sir CHARLES W. DILKE: We have received a large number of documents from Mr. Levy's agents at Enfida; but I cannot at present speak with certainty on the subject.

PARLIAMENT—BUSINESS OF THE HOUSE.

Mr. MAC IVER said, he wished to appeal to the Prime Minister as to whether the right hon. Gentleman would not take into view the desirability of voting urgency with regard to the reconsideration of one or two measures which were carried hurriedly at the end of last Session? He desired to inquire whether the Prime Minister would not take into consideration, under the Urgency Rules, the repeal of the Grain Cargoes Act—a measure which had only just come into operation, and which had produced results which nobody anticipated and which nobody approved? ["Order!"] But that was not the only measure which——

Mr. SPEAKER: The hon. Member is passing beyond the limits of a Question.

Mr. MAC IVER said, he did not wish to press the right hon. Gentleman now; but perhaps by Thursday he would reconsider this Question, as to measures which had been hastily passed last Session.

Mr. RITCHIE asked the Prime Minister if he would inform the House whether there was any truth in the rumour that the Government did not intend to proceed with the Arms Bill?

Mr. GLADSTONE: I have already said that I propose on Thursday to make a statement with respect to the course of Public Business. That being so, I hope the hon. Member will wait till then for a reply to his Question.

ORDERS OF THE DAY.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL.—[Bill 90.]

(*Mr. W. E. Forster, Mr. Gladstone, Sir William Harcourt.*)

CONSIDERATION. [FIRST NIGHT.]

Order for Consideration, as amended, read.

Bill, as amended, *considered.*

Clause 1 (Power of Lord Lieutenant to arrest and detain).

Mr. W. E. FORSTER rose to move the insertion after Clause 1 of the following new clause:—

(Grant of out-door relief.)

"The enactments contained in the third section of 'The Relief of Distress (Ireland) Act, 1880,' as amended by the ninth section of 'The Relief of Distress (Ireland) Amendment Act, 1880,' shall, so far as relates to the families of persons for the time being detained under this Act, continue in force during the continuance of this Act."

When the hon. Member for Meath (Mr. Metge) brought forward the question of out-door relief he had stated that the Government had no desire to do any injury to the families of persons who might be arrested. The Irish system of out-door relief was different from that in England, and made no provision for such families. The *primâ facie* argument was more in favour of the English than the Irish system—not in regard to this particular case, but in regard to prisoners generally. At the same time, there were a number of persons exceedingly averse to encouraging out-door relief in Ireland, and he did not wish to do anything that would generally relax the restriction upon it; but, without at all prejudging the question, he had come to the conclusion that in the present case the benefit of the doubt should be given to those to whom the operation of the Act might cause distress, especially as the head of a family might be detained in prison longer than any untried prisoner. The strongest reason adduced in support of the proposal of the hon. Member for Meath was the case of a small farmer, who might be sent to prison, while his family were sent to the workhouse. In that case, the farm would become unoccupied, and would lapse to the landlord. That would be a hard case. He did not think it was likely to occur; but still it was well to provide against it. The Amendment, as brought forward by the hon. Member for Meath, would not have met the case, because it would not have excluded from the usual operations of the Bill farmers who had a tenancy of about a quarter of an acre. However, in order that his (Mr. W. E. Forster's) proposal might not be made a precedent, he would merely add to the Bill one of the provisions of the Relief of Distress Act of last year, and make it applicable to the families of the persons in question. The 3rd section of that Act gave power to the Local Government Board to authorize the Guardians to grant out-door relief in certain cases; and his intention was that the Local Government Board should issue a General Order empowering them to use their discretion as to the special cases he had mentioned. He therefore begged to move the insertion of a clause embodying the 3rd section of the Relief of Distress (Ireland) Act.

Clause (Grant of out-door relief,)—(*Mr. W. E. Forster,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

Mr. HEALY said, that looking to the constitution of the Boards of Guardians in Ireland, and to the influence possessed by *ex-officio* Guardians who were magistrates and landlords, he was afraid that they would not give out-door relief in these cases if it were left to their discretion. He thought it would be desirable to provide that the families of detained persons should be regarded as by right entitled to out-door relief.

Mr. METGE said, that, having had some experience of parochial work, he was of opinion that the Amendment of the right hon. Gentleman went quite far enough. The only difficulty would be as to the Circular or General Order of the Local Government Board.

Mr. W. E. FORSTER promised that the Circular should be issued at once from the passing of the Bill.

Mr. A. MOORE believed that much of the crime which existed in Ireland was due to the hardship inflicted upon the families of prisoners by relief being refused during the incarceration of the head of the family. He was, however, glad to hear that the Irish Poor Law system was to be in some degree assimilated to that of England. He believed that the Guardians had hitherto had very inadequate power of giving out-door relief. He was much indebted to the Government for the clause now brought forward amending this anomalous state of things.

Mr. SEXTON hoped that the Guardians would be empowered to grant relief for the whole period of the operation of the Act, and not only for the period, as at present limited, of two months.

Mr. W. E. FORSTER said, he was not quite sure whether they could give relief for more than two months under the Acts; but if he found they could not, the power would be renewed, if necessary.

Mr. T. P. O'CONNOR feared that it would be difficult to overcome the inertness and the excessive love of economy that characterized the Boards of Guardians in Ireland. There could be no doubt that there was a strong prejudice amongst them against out-door relief; and he should be glad, therefore, if the

Government could see their way to assimilate the Poor Law of Ireland to that of England.

Motion *agreed to.*

Clause *added* to the Bill.

MR. T. P. O'CONNOR rose to move a new clause (List of persons detained to be submitted to Parliament), which stood in the name of the hon. Member for the City of Cork (Mr. Parnell).

MR. SPEAKER: It will not be regular for the hon. Member for Galway to move this clause. The House expects that an hon. Member giving Notice of a clause should propose it to the House himself. He cannot depute that duty to another Member. I may point out, however, that the substance of this Amendment might be moved when the House proceeds to the consideration of the Bill.

SIR JOSEPH M'KENNA rose to a point of Order. He wanted to know whether it would not be competent for him, or any Member of the House, to move on his own behalf any clause which was printed on the Paper?

MR. SPEAKER: I must remind the hon. Member that no clause can be received on the consideration of a Bill without Notice.

MR. CALLAN, in moving the following new clause:—

(Warrant to issue only on sworn information.)

"No warrant of the Lord Lieutenant under this Act shall be issued until the grounds for suspecting the person against whom it is directed shall be set forth in an information to be sworn, and kept in such manner as the Lord Lieutenant shall direct, and which information shall be laid upon the Table of the House, if so ordered by Parliament on the Motion of any Member,"

said, that his object simply was that some record should be kept of the grounds upon which the warrant had been issued and a person arrested. If some one of his hon. Friends near him should hereafter become a Minister of the Crown, it might be alleged that he had been arrested under the Act for some treasonable crime, and he wished that there should be a record available to disprove that. A gentleman, who was afterwards a Member of the House, was arrested in 1848, not under the Habeas Corpus Suspension Act, but, fortunately for him, upon a specific charge, and detained in prison. He afterwards went to Australia, and there became Prime Minister, and was honoured with knighthood by Her Majesty. He meant Sir Charles Gavan Duffy. If that gentleman had been arrested under the suspension of the Habeas Corpus Act, it might be alleged that he had been guilty of some dark crime. Some Members of that House, also, who might be arrested under that Act, might emigrate to foreign lands, and become distinguished Members of Colonial Legislatures. They ought to be able to show that there was no real stigma on their characters. What he desired was, to secure that there should in all cases be a tangible ground for an arrest. He desired that persons should not be arrested merely upon a private and irresponsible communication made by the Constabulary, or a resident magistrate to the Chief Secretary. Even for the protection of the right hon. Gentleman, it was desirable that if his conduct was hereafter impugned, he should be able to show the grounds on which he had acted. He could not see, if a magistrate or the police had good grounds for their suspicion, that they could have any objection to embodying the grounds of that suspicion on sworn information. It might not immediately be produced; but it would be available for production if the House should hereafter order. If they were not prepared to do so, then on the commonest principles of justice the person against whom their suspicions were directed should not be deprived of his liberty. As no prosecution for a crime was now allowed to be instituted except on sworn information, so the Irish Executive should not be allowed to exercise the extraordinary powers which it was now proposed to commit to them unless they had before them the sworn information of persons who were ready to affirm on their oaths that they had reasonable grounds for their suspicions.

New Clause (Warrant to issue only on sworn information,)—(*Mr. Callan,*) *brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. W. E. FORSTER said, that there was a Notice on the Paper of a Motion on this subject which he believed had been withdrawn. But, at all events, the principle of having to act upon sworn information had been thoroughly debated, and by a large majority it was resolved to adhere to the provision that persons could be arrested upon reasonable suspicion. He could not accept the Amendment, as its adoption would tend to defeat the object of the Bill.

Mr. LEAMY urged that, in the Amendment referred to by the Chief Secretary, information would have been made public, and in that case the objection of the right hon. Gentleman would be easily understood. In the Motion before the Committee the hon. Member for Louth merely asked that the information should be kept in such a manner as the Lord Lieutenant might direct, and should be laid on the Table of the House only by order of Parliament. The information, therefore, would remain with the Lord Lieutenant, and no one would know anything about it unless Parliament directed its publication.

Mr. JUSTIN M'CARTHY hoped the Chief Secretary would accede to this Amendment; and he would put it to him whether they should not preserve in some manner the information which led to a man's arrest, so that afterwards he might have an opportunity, if he thought he was aggrieved, of learning the grounds of his arrest. If the Chief Secretary decided not to accept the Amendment in its present form, he might, at least, give some assurance that there should be some sworn information which would prove a sort of record in the event of the case being afterwards investigated.

Mr. SEXTON pointed out that the Amendment differed materially from the Amendment alluded to by the Chief Secretary. The Government believed that the publication of the information would be attended with very great inconvenience, and, no doubt, it would be; but all that the present Amendment sought was that the information should be secretly taken and kept by the Government. He failed to see how any danger could accrue to any individual giving information by adopting this course, or on what ground the Government could refuse to take information on oath. Again, it was not proposed that the information should be made public except by a vote of Parliament; and surely the right hon. Gentleman did not think the House should be deprived of the opportunity of getting information should it think it necessary to do so. A person detained under this Act should have an opportunity of clearing his character against vague imputations cast upon it; and, therefore, he would strongly appeal to the Chief Secretary, who did not seem to have considered the difference between this Amendment and the one already rejected by the Committee, to accede to the request of the hon. Member for Louth. If the Bill remained as it stood, any man imprisoned under it would be subjected to vague and, perhaps, ruinous imputations of having committed a heinous offence. For this reason the Government ought to preserve a sworn record which, without involving anyone in danger, would enable the suspected person to clear his character at a future period.

Sir JOSEPH M'KENNA hoped some assurance would be given that no warrant should issue until information of the grounds, sworn or otherwise, had been filed in Dublin Castle. There ought to be something in the nature of a *procés verbal*, which would enable a man who was really innocent to clear away the imputation resting on his character.

Mr. HEALY thought the reply of the Chief Secretary was exactly the same as the one which a few nights ago he made to another Amendment quite different from the one in question. He would remind the House that imprisonments under this Bill would be very different from the imprisonments which had taken place in Ireland for Fenianism. The Fenians had been regarded as heroes and martyrs, whilst persons charged on suspicion with some such offence as an incendiary fire or maiming cattle would be liable, perhaps, to be disgraced. Persons ought not to be disgraced for life under vague charges with no chance of clearance as to the nature of the offence.

Mr. FINIGAN pointed out that the terms of the clause did not propose to render it necessary that the sworn information should be made public. What was intended was that the information should be kept as a State record by the Lord Lieutenant. It would be but fair, he contended, that the House should have an opportunity of reviewing the circumstances in cases where a warrant might be issued, not upon information grounded on reasonable suspicion, but upon information prompted by malice or vindictiveness. If this Amendment was adopted, it would contribute to the pacification of Ireland and the prevention of crime; some slight element of justice would also be imparted into the Bill, and this would be a better precedent for future statesmen to act upon than was the Bill in its present harshness.

MR. BARRY observed, that the information could only be made public by a vote in the House, and it was simply an act of common justice that some record for reference should be kept of the reasons for arrests at Dublin Castle. He hoped the clause might be agreed to, as it would give innocent persons, if any were arrested, or persons arrested for some trivial offence, the means of removing the stigma under which they must otherwise remain in consequence of their incarceration.

MR. DALY thought the Government would benefit themselves by accepting the Amendment, for it would show that a reasonable ground existed for the arrest of the person suspected. As far as he could see, there was no valid reason whatever for refusing the Amendment.

Question put.

The House *divided:* — Ayes 41; Noes 317: Majority 276.—(Div. List, No. 71.)

MR. LEAMY proposed the insertion of the following Clause:—

(Any person detained under this Act, if defendant in action of ejectment, may appear in court.)

"Every defendant in an action of ejectment commenced either before or after the passing of this Act, who may be imprisoned under this Act shall be allowed to appear in person in court during the hearing of the said action."

He hoped the Chief Secretary would see his way to accept the Amendment. He need scarcely point out to him that in every action of ejectment, especially where the defendant was entitled to claim compensation for disturbance, the defendant was nearly always an important and necessary witness. In fact, in many cases, the tenant had to prove certain improvements for which he would be entitled to receive compensation; and if, under these circumstances, an action of this kind were allowed to proceed in the absence of the defendant, very serious prejudice and harm would be done to the defendant. He was very much afraid that the extensive powers given to the Lord Lieutenant would not enable him to permit a person to appear in Court unless a special clause were introduced into the Act empowering him to do so.

Another Clause (Any person detained under this Act, if defendant in action of ejectment, may appear in Court,)—(*Mr. Leamy,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) was afraid he could not assent to the clause. It was no doubt inconvenient that the defendant in an action for ejectment should be detained in prison; but he saw no reason for making the distinction which this Amendment would establish between persons detained under the Bill and other prisoners. Moreover, such a clause was not necessary, as in every case where the attendance of a person imprisoned under this Bill might be necessary in Court, and not merely in cases of ejectment, the only thing requisite would be to apply to the Lord Lieutenant for his consent to an application to the Court of Queen's Bench, and that Court would order the attendance of the defendants at the hearing of any action.

SIR JOSEPH M'KENNA asked whether he was to understand from what the right hon. and learned Gentleman had said that the permission asked for would be granted as a matter of course, if a writ were issued by the Court of Queen's Bench?

MR. CALLAN said, the right hon. and learned Gentleman's explanation would lead the House to believe that a writ could be issued by the Court of Queen's Bench for the appearance of the prisoner. He thought that the proposed clause, like the right hon. and learned Gentleman the Attorney General for Ireland's explanation, was rather clumsily drawn. The House could not pass the Amendment in the exact phraseology in which it was drawn; but it could relegate to the Queen's Bench the power to determine whether or not a witness was essential in an action, and he suggested that the proposed clause should read—

> "That notwithstanding the provisions of this Act, or provided always that on the Court of Queen's Bench being satisfied that the defendant in an action of ejectment is a necessary and essential witness in the case then pending, the Court should be at liberty to issue a writ in such case."

That would meet all that they asked for, and would take out of the hands of the Irish Executive the power of injuring a poor man who might be very objectionable to them; but still ought not to be deprived of the rights given to him by the Constitution.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW) said, what he had endeavoured to explain was that the person who wished to be produced in Court as his own witness must get the consent of the Lord Lieutenant to apply for a writ; and this, in all proper cases, would be so obtained, as a matter of course.

MR. MITCHELL HENRY thought the Amendment was so reasonable that the House could not, for very shame, refuse to accept it. Many of them knew that an ejectment against an Irish farmer involved absolute ruin, and to refuse a man who might be arrested innocently the liberty of appearing in Court to state the reason why he should not be ejected from his holding appeared to be inflicting a double injury on an innocent man. If this Amendment were rejected, he should feel that the Government were determined to carry to the utmost extreme the arbitrary authority conferred by the Bill. He earnestly hoped the Government would re-consider their determination, as it appeared to him to be very unfair.

THE O'DONOGHUE said, there could be no doubt that this was a vital Amendment; and he was of opinion that, unless the Government acceded to it, great injustice and irreparable injury might be inflicted on large numbers of persons in Ireland. They might assume that persons in custody would receive information that these proceedings had been taken against them; but what he wished to point out to the Government was that the person against whom the ejectment might be brought might be a very poor person, without the means of taking the necessary proceedings to enable him to appear in Court. He respectfully urged on the Government to take this into consideration, and to provide that poverty should be no impediment to the tenant in custody being enabled to assert his right.

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, the case had been put entirely on a false issue. The terms of the clause were to the effect that a person who was imprisoned should be allowed to appear as a witness in person in Court during the hearing of the action. That was exactly his position at present. If any person who was in custody under any circumstances were required as a witness, the ordinary course was to satisfy the Court of Queen's Bench that he was a necessary witness; and then he was brought up, as a matter of course, under a writ issued by that Court for the purpose. The only thing the Act did was to prevent an application being made to the Court of Queen's Bench with that object before the consent of the Lord Lieutenant had been obtained. If a certain witness was necessary, the application would be made in the ordinary way—first to the Lord Lieutenant for his consent, and then, that consent being obtained, to the Queen's Bench Division for the usual writ; and the witness would be brought up as a matter of course.

THE O'DONOGHUE: Would his coming up entail any expense?

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Under this Act he would be brought up in the custody of the gaoler and at the expense of the prison authorities, not at his own expense; therefore most ample justice was done.

MR. A. M. SULLIVAN said, they were aware that a writ would bring a man out of any prison in the land; but what his hon. Friend aimed at was this—that the unfortunate prisoner would, unless the Amendment were agreed to, have to take an additional legal step, which meant additional expense. He argued that the Amendment was drawn in a way that was open to the objections urged against it; and he would suggest that some clause be inserted in the Bill empowering the issue of a writ in the case of ejectments.

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, he thought it would be much better to leave that to the Executive. It would be impossible to frame a clause now such as the hon. and learned Member suggested. The course he (the Solicitor General for Ireland) thought the Lord Lieutenant would be advised to take upon application being made to him was to direct his Law Adviser to be instructed to apply for a writ of Habeas Corpus if he considered it necessary.

MR. LEAMY: Does the hon. and learned Gentleman give that assurance?

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON): Certainly.

Motion and Clause, by leave, *withdrawn.*

MR. A. M. SULLIVAN moved the insertion of the following new Clause:—

> "No person discharged from detention under this Act shall be so discharged at a greater distance than five miles from the place whereat he was first arrested under the Act, unless he shall himself prefer to be discharged at a place nearer to the prison wherein he was last detained."

The object of the clause was to prevent persons being discharged at such a distance from their homes that it made it a matter of great difficulty for them to get to their homes. It would be a gross injustice, for instance, to dicharge a person arrested in Sligo, or in any other part of the West of Ireland, in the streets of Dublin, after being liberated from Mountjoy Prison, without giving him the means of travelling home.

Clause (Discharge of Prisoner),—(*Mr. A. M. Sullivan*),—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. SEXTON supported the Amendment, on the ground that it would be adding inhumanity to the punishment inflicted by the Bill not to give prisoners an opportunity of returning home without very great inconvenience.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW), while partly concurring with hon. Members opposite, called attention to the fact that the hardship, which might in certain cases be very great, was met by the Prisons Act, which provided that persons discharged should receive each a sum not exceeding £2 to pay the expenses of their journey home. That grant of money, however, was permissive, and not invariable.

MR. DALY objected to the Governor of any prison having it in his power to say whether aid should be given or not. He thought it would be far better, if a person were assured he would have a certain sum, to take him to his home.

MR. W. E. FORSTER thought that was a matter which might well be left to the Prisons Board.

MR. A. M. SULLIVAN said, he quite saw the point, and felt it would be advisable that persons should receive 12*s.*, 15*s.*, or £1, as the case might be, to take them to their homes; but in the case of persons arrested on suspicion it should be made compulsory, and not permissive.

MR. W. E. FORSTER said, taking the proposed clause in that light, he saw no objection to it, and would accept it—the clause to be introduced after subsection 4 of Clause 1.

Question put, and *agreed to.*

Clause *added* to the Bill.

MR. W. E. FORSTER said, that, in accordance with the arrangement that was come to in Committee, he begged to move an Amendment fixing September 30, 1880, as the day on which the Act should come into operation. The point having already been discussed at some length, he would not now repeat his arguments.

Amendment proposed,

> In page 1, line 6, to leave out the words "either before or after the passing of this Act," in order to insert the words "at any time since the thirtieth day of September, one thousand eight hundred and eighty."—(*Mr. William Edward Forster.*)

Question, "That the words proposed to be left out stand part of the Bill," put, and *negatived.*

Question proposed, "That the words 'at any time since the thirtieth day of September one thousand eight hundred and eighty' be there inserted."

MR. T. P. O'CONNOR said, that not a single concession to mitigate the severity of the Bill or its retrospective action had been made by the right hon. Gentleman. Every Amendment with that object, whether coming from the Liberal or Conservative side of the House, had been met with the same relentless hostility. The responsibility for the Bill rested, therefore, with the right hon. Gentleman alone. If the right hon. Gentleman had shown the least desire to meet the views, even of

Liberal Members, he would have gained for the Bill a certain amount of support from Members on both sides. The right hon. Gentleman now proposed to limit the retrospective action of the Bill to the 30th of September, 1880; but he might as well have gone back to 1848. The Government intended to make the measure so sweeping as to catch within its net every act done and word spoken during the Land League agitation. When the Chief Secretary rejected the Amendment of the right hon. Gentleman (Mr. Stansfeld), who for years sat side by side with him on the Treasury Bench and in Opposition, he would not be likely to pay any particular attention to proposals coming from those Benches. The right hon. Gentleman might as well be brought face to face with his own conscience at once. The right hon. Gentleman might say he only wanted to get at a certain number of "dissolute ruffians;" but he might as well take off the mask and tell the House that he meant to use the Bill to the utmost, and for the next 18 months to establish a reign of terror over the Irish people. He had now got beyond the first stage of the Bill, when he thought it necessary to give those melodramatic pictures of the condition of Ireland, which bore the same relation to the state of things actually existing as a drama at one of the transpontine theatres to the realities of life. When the right hon. Gentleman said that he did not mean to confine the operation of the Bill to the future, he distinctly declared that he intended to make the measure not preventive, but punative and vindictive. ["Oh!"] Hon. Gentlemen might cry "Oh!" or laugh, as the Treasury Bench might direct them; but the fact remained that the Bill was necessarily punative and vindictive. He did not believe it was of any use for him to say more; but he felt it his duty to denounce the infamous, the criminal, and the unprecedented cruelty of the Bill.

Mr. SEXTON wished to give a brief example of what might happen if the retrospective action of the Bill were carried back as far as the end of last September. The editor of *The Sligo Champion* had been brought before the magistrates under the Whiteboy Act, because a paragraph appeared in his paper recommending that a person should give up a farm from which another had been evicted, and it was attempted to show that that was an act of intimidation. The Crown Prosecutor brought the charge at the instance of the Attorney General for Ireland; but not only the mayor of the town and five unpaid magistrates, but the resident magistrate himself laughed the law of the Crown Prosecutor out of court. If this Bill were made to go so far back as last September it would be in the power of the right hon. Gentleman to console himself for the defeats he had experienced at the hands of the magistrates. The right hon. Gentleman had himself admitted that there had been a rapid decrease of crime in Ireland; in face, therefore, of the diminution of agrarian outrage his retention of the retrospective character of the Bill proved it to be vindictive. He appealed to the Government to let the Act run from the date of its introduction, or from the 6th of January, when the people of Ireland were informed by the Queen's Speech that it would be brought forward. Such a course would be candid and consistent, and would save the Bill from appearing to be vindictive.

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson) said, he trusted the hon. Member who had just sat down was generally more accurate in his facts than those with which he had favoured the House on this occasion. He had been good enough to charge him himself with colluding with another Law Officer to bring about a prosecution which he knew to be unfounded. It was quite enough in that House to state that charge to vindicate himself.

Mr. DALY said, he did not think there was much good in addressing the House on this subject, as, notwithstanding the opposition the Government had received on certain points even from their own supporters, they had not altered the Bill in any one important point. He, however, still protested against the retrospective character of the Bill. It had also a longer prospective duration than any previous Coercion Bill. It was intended to last two years, being antedated from the end of September, 1880, and extending to September 31, 1882. The retrospective provisions of the Bill rendered it an engine of vindictive punishment. Crime in Ireland had greatly diminished; and he appealed to the Chief Secretary to accede to the wishes of hon. Gentlemen sitting on those Benches.

MR. SPEAKER pointed out that the hon. Member was not speaking to the Amendment, which related to the duration of the Bill.

MR. DALY said, a law could only be successfully administered when the people recognized its justice. The fact that, in addition to its stringency, it was retrospective conveyed the impression to the minds of the people that it was not a measure for the deterrence of crime, but for punishment for past deeds.

MR. T. D. SULLIVAN thought the Government were bound, in acknowledgment of the improved condition of Ireland, to abandon the retrospective portion of the Bill, more especially as they were themselves largely responsible for its previously disturbed state, by their neglecting to put in force the ordinary law of the land.

SIR JOSEPH M'KENNA hoped the Government would forego the retrospective action of the Bill, which, as this clause stood, would only apply to the crimes of treason and treason-felony.

MR. T. C. THOMPSON was of opinion that the Bill laid down a very dangerous principle—namely, that persons could be punished for offences committed before the existence of the Act. He did not object to the Bill solely in the interest of the people arrested, but in the interest of the great body of the people. They were often finding out that certain persons had been acting unjustly; and it was quite possible that during the next two or three days they might find out that a great many landlords in Ireland had been receiving rents very unjustly. If they carried the Amendment of the Chief Secretary they would be breaking through the good old maxim of English rule, that "Bygones should be bygones." The precedent they were attempting to create might be fraught with great danger—in fact, it might be said that even Members of the House were not safe from such dangers as that involved in the present legislation.

MR. ARTHUR O'CONNOR said, the words "prescribed district" referred to a district prescribed at the time when the offence was committed. The Government for a long time appeared to have been unaware of the character of their own Bill. They had overlooked this point, and they only contemplated that they would have legal power under this Bill, when it became law, to arrest a man in a district which they proposed hereafter to prescribe for an act which was committed before that district was prescribed. He was sorry his hon. Friend had pointed out this blot on the Bill. He should have been very glad to see the Bill become law with the clause as it originally stood in it.

SIR JOSEPH M'KENNA said, he rose to Order. Was it proper for a Member of the Irish Party to propose to bring in another penal clause?

MR. ARTHUR O'CONNOR said, he was very sorry the hon. Member misunderstood his remark. He proposed to amend the Bill in this way—to leave out the words, "30th day of September, 1880," and insert, "31st January, 1881."

Amendment proposed to said proposed Amendment,

To leave out the words "thirtieth day of September one thousand eight hundred and eighty," in order to insert the words 'thirty-first day of January one thousand eight hundred and eighty-one.'—(*Mr. Arthur O'Connor*,)

—instead thereof.

Question proposed, "That the words 'thirtieth day of September one thousand eight hundred and eighty,' stand part of the proposed Amendment."

MR. LEAMY remarked that until after the Bill passed there was no such thing as a prescribed district. He trusted the right hon. Gentleman would agree to the compromise proposed by his hon. Friend the Member for Galway.

MR. W. E. FORSTER said, some hon. Members seemed to suppose that it was the intention of the Government, in dealing with the retrospective portion of the Bill, to make it possible that it should only apply to treason and treason-felony, and not to agrarian offences; but that was not the intention of the measure, and he should propose, later, some lines dealing with the latter class of offences. With regard to the Amendment for the 31st of January, hon. Members must really not suppose that he was not paying attention to their arguments if he did not stay in the House to reply to them, because the question had been thoroughly debated. Certain hon. Gentlemen seemed inclined to throw the entire responsibility for this Bill on his shoulders; but the fact was it had been very carefully considered by his Colleagues, not only in general principle, but in detail; and, also, which was of very great importance, it had been assented to by a very large majority of the House after a long discussion of this very particular matter. Again, the argument had been brought forward that they had turned this Bill into a vindictive instead of a preventive proposal by making it retrospective. They sought also power of arrest, on reasonable suspicion, of those they believed to have done certain acts in past time. Why did they do that? Because it gave them the power to arrest those people, and prevent them committing similar acts again. He again apologized to the House for re-asserting what had been so much dwelt upon. In his speech the senior Member for Cork (Mr. Daly) said a good many of the men who had committed offences had gone. They would not have gone if the Bill had not been retrospective; and if the Committee of the House were to change its mind and not make the Bill retrospective, he very much doubted whether these gentlemen would not come back again.

Lord RANDOLPH CHURCHILL asked whether a person could be arrested, under this measure, for a crime committed in a district subsequently prescribed, and at a time when the power to prescribe districts was not in existence?

The ATTORNEY GENERAL (Sir Henry James): That matter has been discussed. I have not the least doubt myself that under the power conferred by this Bill a person may be arrested, if a district has been prescribed, for a crime committed before the district was prescribed.

Question put.

The House *divided*:—Ayes 164; Noes 41: Majority 123.—(Div. List, No. 72.)

Words *inserted*.

Mr. PARNELL, who had given Notice of an Amendment to leave out, in line 8, the words "treason-felony or treasonable practices," said, he would only move the first portion of his Amendment—to leave out "treason-felony." In explanation on the course he proposed to take in dividing his Amendment into two portions, he said he thought it probable that many hon. Members of the House might be prepared to support one portion who might not support the other. He had read with some interest the debate which took place on this question during the passage of the Bill through Committee. He had not yet been able to understand why the Government had included these words "treason-felony" in the Bill. He did not think that the Fenian conspiracy was at all more active at the present moment than it had been at any time during the last eight or nine years; and he was disposed to believe that the Government were acting under the influence of some panic originated by some false or erroneous information. There were, he was aware, a great number of reports and rumours of various kinds flying about with regard to the intentions of the Fenian Brotherhood in America, and also in Ireland. He had been told that the Government had received information as to an intended movement by the Fenians in Ireland or in this country; but, knowing as he did something of what was going on in England and Ireland among his fellow-countrymen, and of their feelings and sentiments, he was utterly at a loss to understand the reason why panic should have taken possession of the Government. He did not wish to say that the Fenian Brotherhood were opposed to the Land League movement. It was true that a section of them had openly, and in the public prints, expressed disapproval of the Land League movement, on the ground that it was a movement of a social character, calculated to draw the people away from their object of national independence, and to set up the idea that they were to become possessors of their own farms, instead of building up a nation in Ireland, which had been the object of the Fenian Association. But it was also true that individual members of that Association in America had given the Land League a full and independent support, not as a revolutionary movement, not because they supposed that the Land League at any time intended to resort to violent or revolutionary methods to attain its end, but because they looked upon landlordism as the chief English garrison in Ireland—as one of the pillars of English mis-rule in that country; and because they thought that, when the exceptional privileges and unjust rights of that class were taken away, one of the chief obstacles to attaining the separation of Ireland from England would be removed; but to say that the Fenians were active in Ireland, America, or England in support of a purely separative movement was to say that of which none of the evidence before them afforded them the slightest tangible ground whatever. On the contrary, he knew that many leaders of that Association had complained that the Land League movement was diverting funds, which would have been received for revolutionary purposes, into the coffers of the Land League. He supposed that at no time was the Fenian Association less active in Ireland than it was at the present moment. It had always been so; whenever the minds of the people were diverted by a Constitutional movement and agitation they lost that desire to participate in secret organizations, to which the Irish people had been driven from time to time, in default of other outlets for their opinions. The Bill as it stood would empower the Lord Lieutenant to put into prison any person suspected of "high treason, treason-felony, or treasonable practices." He could only account for the introduction of those words by the supposition that the Chief Secretary desired to arrest men who had obviously committed no offence against the law of the land. Treason-felony was an occult offence, committed secretly in a secret organization, and of late it had not consisted of overt acts; and therefore it occurred to the Government to obtain power that, if there was any individual that they had a particular objection to, this power of arresting on reasonable suspicion of treason-felony would afford them a short cut for effecting their purpose. The late Government had to deal with the Fenian agitation; but they did not suspend the Habeas Corpus Act for the purpose of dealing with anything but a state of actual rebellion in the country; but there was no state of actual rebellion now. Never were the minds of the Irish people further removed from any desire to resort to violence against the established Government of the country, and he believed that this frame of mind extended not only to the Irish people in Ireland, but also in this country, and to the far more numerous, greater, and better nation that existed in the United States of America. He thought they were entitled to ask for some better reason for the retention of these words than the panic about Fenians got up during the last few days. Garrisons had been doubled, the rifles of Volunteers had been deprived of their locks, and immense precautions taken for the purpose of guarding against a Fenian attack in this country. The only reason for this panic was that a tin can containing dynamite was exploded at Salford; but the circumstances pointed to it being meant as a practical joke. He imagined that a Fenian conspiracy would not suppose that they could blow up the British Empire by means of a can of dynamite, or make war against the Government with a few pounds of gunpowder; but that was the only excuse for this panic. They had also been told, in the awe-inspiring tones of the Home Secretary, that Mr. James Stephens had arrived at Paris last week, although Paris was his place of residence; but last year Mr. Stephens had simply gone to America in order to induce the Irish people not to support the Land League. He would ask the Government whether it was a dignified course to take to attach importance to matters of this kind? There was no evidence whatever of the existence of an extensive conspiracy, or one which was likely to break out in a way which would cope with the forces of the Government. He admitted that the Land League organization was a powerful one; and, if the Government desired to suppress it, they could not do better than propose to suspend the Habeas Corpus Act. He was confident, however, that their efforts to put down the Land League would fail; but, as to the Fenian movement, he did not believe that at any time during the past seven or eight years it had been less powerful than it was at the present time. In conclusion, the hon. Member moved the omission of the word "treason-felony."

Amendment proposed, in page 1, line 8, to leave out the words "treason-felony."—(*Mr. Parnell*).

Question proposed, "That the words 'treason-felony' stand part of the Bill."

MR. W. E. FORSTER said, they had not had the advantage in their discussions in Committee, except for a very short time, of the presence of the hon. Member for the City of Cork. If the hon. Member had taken part in those discussions he hardly thought he would have thought it necessary to repeat, on the present occasion, arguments which were then used. The hon. Member had given an interesting account of the relations of the Land League to the Fenian body.

Mr. PARNELL: Not to the Fenian body, but to individuals.

Mr. W. E. FORSTER: To what the hon. Member described as Fenians generally. The Fenian Brotherhood, I think he said.

Mr. PARNELL: No; I said individuals composing it.

Mr. W. E. FORSTER said, the hon. Member had given them interesting information; and he dared say, to a great extent, it was correct. He admitted there was very little in the published accounts of either one body or the other to cause the introduction of these words; but as he had stated, on introducing the Bill, and on other occasions, they were inserted not on the ground of anything that publicly had appeared, but on information which the Government were in possession of. He did not want the House to take an exaggerated view of that information. They did not believe there was danger of any dangerous rebellion, or any armed rising in Ireland or elsewhere, especially in Ireland, that would cause any real danger to the Empire; but they included in treason-felony and treasonable practices any attempts, more or less atrocious, which ought to be prevented. He was surprised at the manner in which the hon. Member had alluded to what occurred at Salford, when he described the explosion of a can of dynamite as a practical joke. That explosion had caused the death of a poor child, and might cause the death of another person. He did not form any interpretation with regard to that act; but he would state that it was an act which obliged the Government to look very carefully to see how it might have come to pass. He could not say there was proof; but, on the other hand, there was ground for suspicion, that it was connected with treasonable action with Irish objects. That was one, among other acts, to which the Government had to give their serious consideration.

Mr. PARNELL: Will the right hon. Gentleman be kind enough to state on what ground?

Mr. W. E. FORSTER did not think the hon. Member could imagine for a moment that he would state the gronnd. If the hon. Member's remark had not been answered, it might have gone forth that the belief of the Government was that the affair at Salford was a mere practical joke. The hon. Member had made a strong charge against the Government. The charge made by the hon. Member was this—that an arrest might be made under cover of a reasonable suspicion which, after all, had no real existence in the minds of the authorities. Of course, if that was his opinion, he was entitled to hold it; but it was hardly an opinion which would obtain much credence in that House. If it did obtain much credence in that House, certainly neither he nor his Colleagues would remain in power for one day longer. The hon. Member had stated that if the Government wished to take action against the Land League, they could not have adopted a more effectual mode than by bringing in this Bill. He thought it might fail; but he thought it very possible that——

Mr. PARNELL: Yes; I am sure it will fail.

Mr. W. E. FORSTER: The certainty of failure came rather in contradiction to the success that had preceded in such matters. This, however, he would say—that in so far as that organization might be an organization for intimidation, and for attaining its object by intimidation and the help of outrages, this Bill would succeed. In so far as it was an organization for attaining a Constitutional change by Constitutional methods, this Bill was not intended to be directed against it; and if it was directed against it, it would fail.

Mr. DAWSON said, that no sufficient reason had been given in the speech of the right hon. Gentleman for retaining these conditions in the Bill.

Mr. JUSTIN M'CARTHY thought that the reasons given by the right hon. Gentleman were very extraordinary, and differed considerably from the line of argument he had adopted on a former occasion. He (Mr. Justin M'Carthy) felt bound to vindicate the hon. Member for Cork City from the charge of having treated the Salford outrage as a practical joke. It did not occur until after the introduction of this Bill into Parliament, and therefore it could not be taken as an excuse for it. Besides, he did not see what an offence committed in England had to do with agrarian crime in Ireland.

MR. HEALY held that sufficient grounds had not been laid before the House to justify them in giving the Government the power which it now sought for dealing with treason-felony under this Bill. If the Home Secretary was in possession of any secret information as to the existence of any danger from a Fenian conspiracy, he should remember that the persons from whom such information was obtained were generally men of a class who sought to make money out of the Government, and who did not scruple to earn their wages by the most unblushing falsehoods and perjuries. They were men of the type of the infamous Titus Oates.

MR. SPEAKER requested the hon. Member to confine his remarks to the Amendment before the House.

MR. HEALY observed that, if anything happened in England which did not admit of easy explanation on any ordinary hypothesis, it was at once put down to the Fenian conspiracy. The recent alleged outrage at Salford had been so represented, although there was nothing in its circumstances, as far as the published accounts of it went, which forbade the supposition that it might have originated in an accidental explosion of gas. However, a groundless panic had been created, and the Government had not attempted to check it, as it afforded them a convenient means of helping to carry this Bill.

SIR WILLIAM HARCOURT: The hon. Gentleman who has just sat down says the Government are dependent for their information upon informers, and that is the only ground on which it can be suggested that there is any danger to fear from Fenian conspiracy. I desire entirely to contradict that, and to say there is ground of a totally different character for believing that a Fenian conspiracy exists—that it professes the same treasonable and unlawful objects, and pursues them by the same detestable means, as Fenian conspiracies have done in the past. Nobody who is acquainted with the American Press can doubt for a moment that that conspiracy exists, and that in countries where it is safe to avow its objects these objects are avowed. A paper was sent to me a few days ago, belonging to a man who is perfectly well known—a man who was a Fenian convict, but who received the mercy of the Crown by being released before the expiry of his sentence. He was subsequently elected Member for an Irish constituency; but he was unable to take his seat, being a convict felon. I refer to O'Donovan Rossa. He has a paper called *The United Irishman*, a copy of which was sent to me the other day. That paper stated that the objects which were pursued by the Party to which the editor belonged were to overthrow the English Government by the sword, and by Constitutional agitation. Then there was a speech reported in that paper by a man well known in this country, a man who certainly received the grace of the Crown—John Devoy, who was a convict, and, unfortunately, allowed to go at liberty before the expiry of his sentence. The speech of Devoy was made on behalf of a body called the American Land League. I wish to say distinctly that I do not charge the Irish Land League with complicity with the American Land League, or that it is responsible for what is said. I am only stating facts. Speaking on behalf of the American Land League, Devoy said the time was come for action in Ireland; that there would probably be a collision, or something of the kind in Ireland between the authorities and the people, and that then he and his friends were prepared to reply to that by assassination. ["Oh!"] Hon. Members might be shocked; but this is the statement of the man himself, not that of an informant, but published in this paper by O'Donovan Rossa. He begun naturally with some interesting matters. He says he will assassinate a single Minister, and then he will assassinate the whole Cabinet. That is what they desire, and then he says he and his friends intend to accomplish a conflagration of the whole of London and other cities in England. Then he used a phrase which is very remarkable, no doubt, connected with practical jokes—that he would "have recourse to modern science." I think we know what the resources of modern science are connected with the conflagration of the towns. Do not let me be told that this is the perjured information of an informer. It is the object of a detestable conspiracy which, in places where it is safe, does not hide its object. Then the author of this statement goes on to say he is not advising anybody to follow this course who is not prepared to follow him, when the proper time comes, in Ireland. Would any Government, or any civilized society, not take precautions to protect themselves against the objects of such detestable violence as this? If Mr. O'Donovan Rossa and Mr. Devoy, and the people whom they subsidize, collect money for this object, do you mean to say the English Government is to disarm itself against projects such as these? Ought it not rather to arm itself to the teeth? Has the hon. Member never heard of "the Skirmishing Fund." That is a fund——

Mr. HEALY: The Skirmishing Fund no longer exists. It has been displaced by a more reputable organization.

Sir WILLIAM HARCOURT: The hon. Member seems to know something about the Skirmishing Fund. Will he, or some of his Friends, be good enough to tell me what O'Donovan Rossa means when he talks about the Skirmishing Fund, if it no longer exists? It is perfectly idle to say that there is no evidence except that of informants of these detestable plots. It is the duty of every Government and every society to protect itself against men whose principles are the principles of the Nihilists, and whose practices are the practices of the Petroleurs.

Mr. SEXTON asked if the speech of Devoy was to be used as an argument for the suspension of the liberties of the people of Ireland? He had not had the advantage of seeing the paper to which the Home Secretary had referred; but he had for many years studied the writing in American papers, and he could assure the House that if the expressions of hostility to English rule in Ireland were to constitute a sufficient reason for the suspension of public liberty in that country, such an argument might have been found any day in the course of the last generation. The Irish people were not responsible for Mr. Devoy's sentiments. His object in rising, however, was to offer a few words of protest against the unfair manner in which the Chief Secretary for Ireland had criticized the remarks of his hon. Friend the Member for Cork City (Mr. Parnell). His hon. Friend deplored as much as any Member in the House the death that was occasioned by what took place in Salford. The right hon. Gentleman spoke of his (Mr. Sexton's) hon. Friend as if he knew that there were secret relations between the Land League and the Fenian Brotherhood. But his hon. Friend was not open to the charge that he knew of there being relations between them. The Land League was a political body, having no relations with any other body, open or secret. The Land League did not desire to carry out its objects by acts of intimidation; but it relied decidedly and entirely upon the action and sympathy of the people, and upon the public organization, for the bringing about a unity of sentiment to that end. He indignantly denied that the Land League was an intimidating body, or was in any manner connected with illegal or unconstitutional conspiracy. He had heard with satisfaction the declaration of the right hon. Gentleman that the provisions of the Bill would only be used against the Land League when it showed itself to be an intimidating association; because, in that case, he felt sure that the Land League, which rested upon the confidence of the people, would be re-established on a firmer footing than ever.

Mr. CALLAN ridiculed the fears that had been expressed by the Home Secretary of personal violence being offered to the Ministry. He himself had been threatened; and he had read in some American paper of a proposal to throw a ball containing some dreadfully explosive material upon the floor of that House, which should have the effect of destroying them all at a blow. However much he might deplore the extinction of that House collectively, he should still more deplore the extinction of himself individually by such a process. He considered that the Home Secretary had taken an unfair advantage in referring to the ravings of the O'Donovan Rossa and the writings of the American Press as a justification for bringing treason-felony and treasonable practices within the scope of the Bill. The evident purpose of the right hon. Gentleman's speech was to arouse a hostile feeling against certain Irish Members. When the right hon. Gentleman told the House that there were other grounds than the information of spies and informers for believing that a treasonable conspiracy existed, he supposed he was about to detail some of the secrets of the Cabinet now which had lately been introduced into British statesmanship, and to lay bare some of the secrets of the dark chamber in the Post Office, where, under his warrant, the letters of Irishmen and Irish Members were opened. The principles enunciated by the O'Donovan Rossa, as the right hon. Gentleman had conveyed them to the House, were as abhorrent to the Representatives of Irish constituencies as would be any action on the part of the Communists of Paris.

THE O'DONOGHUE expressed his regret that the Home Secretary was not in his place when the hon. Member for the City of Cork (Mr. Parnell) spoke, because he might have thought it necessary to withdraw a statement he had made a few days ago, when he evidently wanted the House to infer that Mr. Stephens had arrived in Paris for the purpose of having an interview with the hon. Member for the City of Cork. It now appeared that the policy of Her Majesty's Government towards Ireland was to be shaped by what took place in America; and they were to be held responsible for newspaper articles which they had never seen, and for suggestions to which Her Majesty's Government were quite as likely to agree as the Irish Members were. He could confirm the statement of the hon. Member for the City of Cork—that there never was a time when the Irish people looked so little to a violent solution of the Irish Question as they did at present. The Constitutional turn which the mind of the Irish people had taken was, however, solely owing to the Parliamentary policy of the hon. Member for the City of Cork, who had given them a faith in Parliamentary action that they never had before. The Chief Secretary had alluded to what he considered was the likelihood of this measure suppressing the Land League. It was true that it was the most oppressive measure of the kind that ever had been passed; but, notwithstanding that, he was perfectly confident that it would utterly fail to interfere with the action of the Land League; and that, on the contrary, it would arouse a spirit of indignation and a re-action which would give the Land League a fresh force and increased vitality.

MR. T. D. SULLIVAN thought it was a curious coincidence that, just at the time when the Government chose to put in a Bill having reference to treason and treason-felony, a number of scares, to which a political and treasonable aspect was given, had been got up in the country. Great precautions were taken at various barracks, and the arms of Volunteers were put in places of safety just at the very time when it suited the Government to have excitement and alarm with regard to treasonable plots created in the minds of the British people. No sooner, however, was the second reading of the Bill reached than these scares entirely ceased. Of course, all Governments while they existed were perfectly innocent of having recourse to such artifices; but when their secret history came to be written years afterwards, it generally turned out that they had availed themselves of many discreditable stratagems to carry out their objects. If the Irish people were to be kept out of their liberties until Fenianism was at an end in America, they would have to wait a very long time. As long as the Fenian ranks in America were recruited by the sons of evicted tenants, and evicted tenants themselves, there would be such projects and such organizations. In times of excitement they would have writings and speeches made in America which were indefensible. The Irish Members had no responsibility for those things, and they protested against deprivation of the liberties of the whole Irish people because O'Donovan Rossa and Devoy published threatening letters and made threatening speeches in America.

MR. T. P. O'CONNOR said, that his hon. Friend the Member for the City of Cork (Mr. Parnell) in restoring in Ireland faith in Constitutional and Parliamentary action, had conferred a great blessing upon the people; but he (Mr. T. P. O'Connor) warned the Government against attempting legislation which was wholly unnecessary, and endeavouring to force such legislation through the House by resorting to tactics of the kind which had been so lately witnessed. The course now being followed could only tend to undo the good work which had been attempted by his hon. Friend the Member for Cork City, and on the heads of the Government would rest the responsibility if the Irish people were driven back into the vicious circles of secret societies, followed by conspiracy.

Mr. SPEAKER called the attention of the hon. Member to the fact that he was not keeping to the Amendment.

Mr. T. P. O'CONNOR said he was endeavouring to reply as closely as possible to the observations which fell from the Chief Secretary. The right hon. Gentleman had said that the Bill would not affect the land movement so long as it was conducted in a Constitutional manner. There was, however, a want of clearness in the statement of the right hon. Gentleman. It was the duty of the right hon. Gentleman to tell the House what he meant. Irish Members objected to such ambiguous views, which were merely traps to seduce——

Mr. SPEAKER again pointed out that the hon. Member was travelling beyond the Question.

Mr. T. P. O'CONNOR said, he had no intention of doing so. The right hon. Gentleman said the Act would only interfere with proceedings likely to lead to violence and intimidation—a definition which might be accepted if it were only itself defined. He desired that the House should be called upon to admit the existence of conspiracy to a large extent in Ireland on the mere *ipse dixit* of the Chief Secretary, based solely upon quotations from American newspapers, and unsupported by any evidence which would be accepted in an English Court of Law. It had been said that this legislation was necessary in order to put down revolutionary ideas; but he contended that no legislation could possibly have that effect. The course of the Government was wholly unprecedented, in that it was based on no tangible evidence, and was unjustifiable, for the reason that the Bill was only intended to construct a legal net, the meshes of which should be sufficient to catch all sorts of people, whether they happened to be innocent or guilty of the crimes which the Executive chose to impute to them.

Question put.

The House *divided*:—Ayes 126; Noes 33: Majority 93.—(Div. List, No. 73.)

Mr. A. M. SULLIVAN moved the omission of the words "treasonable practices," which followed in the clause the words the subject of the last Amendment. He hoped the House would not agree to the retention of the words in question until they were interpreted in the Bill. No indictment had ever been prepared for treasonable practices, and he looked with suspicion upon words which were of so loose and novel a character. If there was a political offence committed in Ireland which was peculiarly displeasing to the authorities in Dublin Castle, and which was not treason-felony or inciting to commit an indictable offence, they would, no doubt, pick up the offender under the classification of having been guilty of treasonable practices. The retention of the words would increase the danger which every law-abiding citizen would run when the Bill became law. No one would be heard on behalf of a man who was accused and arrested under this measure, and therefore the Lord Lieutenant would be allowed to adjudge a man guilty of an offence which was unknown to the law. Possibly the phrase might be found within the limits of an Act of Parliament; but that was not the question. The point was whether any Judge had ever had the chance of saying that an indictment would or not lie for "treasonable practices." He moved the omission of the words.

Amendment proposed, in page 1, line 8, to leave out the words "or treasonable practices."—(*Mr. A. M. Sullivan.*)

Question proposed, "That the words 'or treasonable practices' stand part of the Bill."

Mr. WARTON was astonished to hear a Member of the same Profession as himself speak of the phrase as a novel one, as he did in the beginning of his speech. The hon. and learned Member afterwards admitted it was to be found in various statutes, perhaps because his hon. and learned Friend saw him referring to a big book of statutes. The truth was the phrase might have been made much more wide if precedent had been followed, for he found the words "treasonable and seditious practices and attempts." This expression occurred in 36 *Geo.* III., c. 7, made perpetual by 57 *Geo.* III. c. 6. The original Act, besides containing the phrase, gave a description of what was going on which was applicable to the present time. It spoke of the continued attempts of wicked and evil-disposed persons to disturb the tranquillity of the Kingdom, particularly by a multitude of seditious pamphlets, and speeches daily printed, published, and dispersed, with unremitting industry and with transcendent boldness, in contempt of His Majesty's Royal person and dignity, and tending to the overthrow of the laws and Government and happy Constitution of the Realm.

MR. LEAMY said, the hon. and learned Member for Bridport (Mr. Warton) had quoted merely the Preamble of the Act, and not the enacting clauses; but he had not shown that a man could be arrested or imprisoned for treasonable practices. The other day, at Newcastle West, a man posted a cartoon from a Dublin paper outside his house. The police seized the cartoon, and took it to the constabulary barrack, where the owner recovered it. He put it up again, and again it was captured. He supposed the man would, under the Bill, be guilty of "treasonable practices." If the Government would insist on making a new offence, they ought, at least, to let it be defined.

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON) said, that from 1794 down to the passing of the Treason-Felony Act, the terms used were "treason" and "treasonable practices," and since 1848 "treason-felony" had also been used. No Judge would allow an indictment for "treason" or "treason-felony;" the averments in the indictment must state the facts which constituted the offence. The evidence might fall short of proving treason or treason-felony, and yet might be sufficient to prove "treasonable practices," as, for instance, in the collection of ammunition, or the manufacture of torpedoes for purposes which could not be legally established in evidence, but of which there was no moral doubt. There must be words embracing the offence co-extensive with human ingenuity in devising the offence.

MR. FINIGAN said, this Bill did not pretend to adduce any evidence or to give any proof whatever of treason, treason-felony, or treasonable practices, but merely required that the person should be reasonably suspected of having committed a crime. Therefore, it was the most absurd thing possible to compare the wording of this Bill with what would be stated before a jury in any real Court of Law; and to ask the House to pass these words was to ask it to stultify itself. They had been told that there were precedents for this and that with regard to certain parts of the Bill; but he contended that the Liberal Party ought to be guided by reasons and principles, and not by precedents. He maintained that under the present law the Executive had quite sufficient power to enable them to cope with the condition of affairs in Ireland without introducing words which, although technically legal, were vague and illogical.

Question put.

The House *divided*:—Ayes 165; Noes 29: Majority 136.—(Div. List, No. 74.)

MR. HEALY moved to omit in page 1, line 8, the words "wheresoever committed" and to insert "in Ireland," in order to limit the arrests to offences committed in Ireland. The object of this Amendment was to do away with the wide scope of the Bill as it stood. If the Amendment was not adopted, every emigrant coming to Ireland on a visit or on business would be liable to arrest under this Act, whether he came from America, from Hong Kong, or from India; and what means had the Government of knowing what individuals had said or done in these countries?

Amendment proposed, in page 1, line 8, to leave out the words "whenever committed," in order to insert the words "in Ireland,"—(*Mr. Healy*,)—instead thereof.

Question proposed, "That the words 'whenever committed' stand part of the Bill."

MR. FINIGAN hoped the Government would make no serious objection to this Amendment. Any American citizen who had said things which were not, perhaps, exactly correct in reference to the English Government, might be included under this Act when he came to Ireland; and as Americans were not subjects of Her Majesty, or amenable to the English Constitution, he did not see what injury could be done by leaving out the words.

MR. W. E. FORSTER said, that this point had been previously debated for some time and decided, and therefore it could not be expected that he would repeat the arguments he had already used. He did not wish to express any complaint against hon. Members for their persistent opposition, because they felt deeply on the matter; but he must remind the House and those Members that it was not very usual on the Report to bring up precisely the same questions as had been disposed of in Committee, unless there was some probability of the House changing its opinion, which was not the case at present. The Bill was intended to be a preventive measure, and it appeared to him that nothing could be more preventive than to take the power, if a man planned treason or treasonable practices in England, or elsewhere out of Ireland, and then went to Ireland, to shut him up and prevent him from carrying those plans out.

Mr. HEALY said, that under those circumstances he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Mr. W. E. FORSTER proposed in page 1, line 9, to insert after "committed," the words "at any time since the thirtieth day of September, one thousand eight hundred and eighty."

Amendment *agreed to.*

Mr. A. M. SULLIVAN rose to move in page 1, line 12, after the word "order," the insertion of the words—

"Not being a publication in any newspaper, the printer or publisher of which may be prosecuted at common law or otherwise for such publication."

The reason he proposed this Amendment was because the crimes and offences dealt with by this Bill were those of which the Chief Secretary said it was difficult to detect the perpetrators; but in the case of publications in a newspaper the very same resources of prosecution and punishment that were at any time open to the Government would still be open to them. For such offences there could be no reason in the world for bringing in this Bill. A newspaper editor in any part of Ireland who published reprehensible articles was open to criminal prosecution, and the paper and the man were there to be found. There could be no pretence that the publication of a newspaper was surreptitiously done, and that it was impossible to bring an offender of that character to justice.

Amendment proposed,

In page 1, line 12, after the word "order," to insert the words "not being a publication in any newspaper, the printer or publisher of which may be prosecuted at common law or otherwise for such publication."—(*Mr. A. M. Sullivan.*)

Question proposed, "That those words be there inserted."

Mr. MITCHELL HENRY supposed that the Government would have no objection to accept this Amendment. If there was anything of which they should be proud in this country it was the liberty of the Press. The whole object of the Bill was to enable them to detain suspected persons against whom they could not obtain evidence, and anything which went beyond that object could not commend itself to the House or to the friends of the British Constitution. Editors and publishers of newspapers could be made responsible for the articles appearing in their publications.

Mr. W. E. FORSTER observed, that the effect of inserting this Amendment in the Bill would be to inform the editors of all newspapers that they had, in fact, letters of licence to incite to acts of violence or intimidation. He believed that there were very few newspapers—he hoped there were none in Ireland—that would do it; but he strongly suspected that if this Amendment were accepted there would be newspapers which would take the opportunity of inciting to acts of violence or intimidation. [Mr. A. M. Sullivan: They could be prosecuted.] Yes, they could be prosecuted; but the hon. and learned Member was fully aware that it was a notorious fact that it was difficult to get juries to do their duty.

Mr. FINIGAN thought it was a most unjust reflection on the Irish Press for the Irish Secretary to say than an Irish newspaper would incite to an act of violence. The argument of the right hon. Gentleman against the Amendment was weak and miserable. It was evident the Government were determined to strike at not only the freedom of the people, but to extinguish the sole voice that in Ireland could be heard after the passing of this Bill.

Mr. HEALY observed, that the Chief Secretary, by refusing to accept the Amendment, simply told the editors and writers for the Press in Ireland they were men not to be trusted with the ordinary Constitutional liberty enjoyed by nations over the whole world. He had thus conveyed an insult to the most intelligent people in Ireland. His argument was a most regrettable one, and calculated to cause much pain in Ireland. The Bill, they had been told, was to apply to village tyrants and dissolute ruffians; but now, when it was proposed that the Bill should not apply to newspaper editors, the Government, through the Chief Secretary, said that the Bill was to apply to them.

MR. SPEAKER said, the hon. Member was not speaking to the Question.

MR. HEALY said, he was simply anxious to show the class of persons to whom the Bill was intended to apply. No doubt, the Radicals opposite would vote for it, and then the Irish people would see who were the English champions of their liberty.

MR. T. P. O'CONNOR challenged the right hon. Gentleman to mention a single case in which an Irish editor brought before a Dublin jury by the Crown for an offence against the Crown had not been convicted. The hon. and learned Member for Meath (Mr. A. M. Sullivan) was brought before a Dublin jury, who, with a slavishness which characterized Dublin juries in past times, convicted him, though he had committed nc offence, moral or legal. They had also convicted John Mitchel, Kevin O'Dogherty, and others. He was delighted that the Government declined to accept the Amendment, because their refusal showed that they desired to take away, not only liberty of the person and of meeting, but also even the liberty of the Press. How hypocritical was the action of the Government with regard to the Press of India! He understood that orders were sent to-day to India to revise the rules of the late Government with reference to the Vernacular Press of India. But this Liberal Government, who were so anxious about the Vernacular Press of a country thousands of miles away, were the very men who came down to the House to muzzle the Press of Ireland. He had never heard of such an act of political hypocrisy in his life. The Amendment proposed by the hon. and learned Member for Meath was enough, if the Government intended to use this Bill honestly. As the Government came near the end of this Bill, they were throwing off all masks and pretences. This Bill struck even at the poor remnant of the liberty of the Press of Ireland.

MR. DALY observed, that the people of Ireland would understand the refusal of the Government to accept this Amendment to mean that the English Cabinet, legislating for the conquered people, regarded them as a nation of perjurers, who, on their oath in the witness box, would not convict for any offence in Ireland. The Amendment simply provided that the question whether an offence had been committed should be submitted, as in England, to a jury of 12. The right hon. Gentleman wished, instead of that, to refer the case to the mercy of two men. He (Mr. Daly) objected to surrender one's liberties to two men, even though they were the Lord Lieutenant and the Chief Secretary for Ireland.

MR. O'DONNELL said, the Liberal Party denounced oppression everywhere, provided it were only at a sufficient distance from Her Majesty's Dominions; but they did not know how to condescend, or to make a concession to weakness at home. He was not surprised to find that they were determined to add to the other Liberal institutions which they were about to confer upon Ireland a censorship of the Press, although the Press, he contended, would be the sole corrective of the numerous errors into which the Chief Secretary for Ireland, who was totally ignorant of the country, was likely to fall. At the same time, it should be remembered that the Liberal Party, out of power, were in favour of the Press being allowed to degenerate into licentiousness rather than that its freedom should be suppressed.

MR. ARCHDALE said, that this was an exceptional Bill to meet exceptional circumstances. He would be sorry in ordinary times to restrict the freedom of the Press, for he was as great an advocate of freedom as any of those hon. Gentlemen who had just spoken could be; but, in the face of the fact that juries could not be found to convict in Ireland for political offences, he hoped the Chief Secretary would not assent to the Amendment.

MR. LEAMY pointed out that upon every occasion for the last 42 years on which there had been a newspaper prosecution a conviction had followed, and contended that there was no fair reason to suppose that what had so frequently happened before would not occur again. He really thought that the Chief Secretary would have accepted this Amendment; but it now appeared that the right hon. Gentleman would not allow freedom of the Press, or, indeed, freedom in any form, in Ireland.

MR. CALLAN did not see why Irish newspapers should be included in the Bill and English papers left out. There were a number of English publications which had had offensive cartoons on the subject of the Bill before the House. A short time ago an Irish paper had issued a cartoon which represented the Chief Secretary for Ireland maintaining law and order. He was represented in martial array, keeping guard over poor Michael Davitt, while poor Davitt laboured for a happy Irish home. The cartoon brought home the entire facts to the Irish people. It was published by *The Freeman's Journal*, a paper owned and conducted in a masterly manner by a Member of that House. Were they to place that hon. Member's liberty at the discretion of Her Majesty's Liberal Chief Secretary for Ireland? He was not in accord with the Irish National Press. For many years he sincerely wished for the charity of silence. He enjoyed their writing, but still more their cartoons, because in their cartoons they displayed much more ability than in their writing; and if he got some assurance from the report of the Government now on the Treasury Bench that for those cartoons the editors of the National Press would not be put into prison a great deal of his objection would be withdrawn.

MR. PARNELL said, he trusted that the Government would re-consider their refusal to accept this Amendment. The statement made by the Chief Secretary as to the reasons for bringing in the Bill was that they desired to put a stop to outrages in Ireland, which they believed to be the main support of the Land League. But this Amendment asked for what was practically the freedom of the Press; and he could not suppose the Government were serious in their determination to take powers under the Bill to take up any newspaper editor and put him into prison for 18 months for articles published in his newspaper. In Ireland, from time to time, they had had laws directed against the freedom of the Press. They had had provisions in Acts of Parliament of this kind—that after a certain number of warnings a newspaper might be summarily suppressed; but he thought they had never had the power to put an editor into prison until now under the suspension of the Habeas Corpus Act. Any editor, the conduct of whose journal offended the Government, was liable to be placed in prison under the Suspension of the Habeas Corpus Act. Now, any speaker from a public platform whose speech offended the Government was also to be placed in prison, and kept there under the Suspension of the Habeas Corpus Act. Well, now, was it fair that the Bill should have as wide a scope as that? Was it right that the whole of the Press of Ireland should be placed practically at the mercy of the Government? If the Government did not desire to put down public opinion in Ireland, and the free expression of public opinion, why did they refuse this Amendment? He did not believe in the pretext that the Bill was directed against outrages at all. He believed that the Bill had been brought in because the Chief Secretary to the Lord Lieutenant found that he had failed in his mission in Ireland, and he wanted to revenge upon the people of Ireland, and upon the leaders of public opinion in Ireland, that failure and that loss of reputation as a statesman. The right hon. Gentleman wanted to control public opinion; he wanted to control the Press. It was evident he wanted to control the Press. If he did not he would agree to this Amendment. Under the pretext of putting down agrarian offences, he sought, in reality, to obtain control over expression of any public opinion in Ireland that he did not approve of. He saw a movement which he knew was a national movement, and he could see no better way to control the movement than by controlling the expression of public opinion in Ireland. Now, he (Mr. Parnell) thought that the Amendments that had been from time to time attempted to be made in this Bill had effectually thrown aside the cloak which the Government attempted to put over their intentions and designs when first introducing it. They had a great deal of mock philanthropy and mock humanity with regard to the suffering of animals, and with regard to the Queen's Writ not running in Ireland, and so on. But it was now evident that the real design of the Government had been to destroy public opinion and freedom of discussion in Ireland; for, as they saw, that was the result of the refusal to accept this Amendment, the object of which was to protect the liberty of the Irish Press.

MR. T. D. SULLIVAN confessed that until the refusal of this Amendment he did not believe that the Government were contemplating, in an underhand manner, to strike at the freedom of the Press in Ireland. The Government had been, from time to time, asking the House to give them credit for good intentions in connection with this measure; but what they had learnt during its progress showed them that they should give the Government credit for the very worst intentions. The proprietors of the Irish newspapers were liable to the ordinary law of the land for what appeared in their columns; and it was most unfair and dishonest to attack them in that underhand and fraudulent manner. In England the fullest liberty was allowed the Press, pictorial and otherwise, and that was found to be the best plan to act upon. But, henceforward, they dare not touch their masters in Ireland. They dare not represent any of them in any attitude, except, perhaps, in the distribution of some benevolence. They should be careful as to their features; they should make them beauties even if nature did not intend them so. If the artist did not do justice to their features, the proprietor would find himself in Mountjoy Prison. Freedom of speech might be restricted, but freedom of thought would not; and freedom of action would result from it in one shape or another, and in a manner that might not be agreeable to those gentlemen who were now so tender of their persons and character.

MR. BARRY said, that the Government, by their refusal to accept every proposition made, however reasonable it was, would be known hereafter as the Government of Coercion. There was not, he might state, a single instance on record, save one, within the last 40 years of a Press prosecution in Ireland failing. As they approached the close of that long and dreary discussion the scope of the Bill had gradually widened, and now newspaper editors were to be included within it; whereas a short time since they were told that it was meant to be directed only against dissolute ruffians. He was glad that the Government had shown themselves in their true colours, as they had now proved the utter hollowness of English Liberalism.

Question put.

The House *divided:*—Ayes 45; Noes 250: Majority 205.—(Div. List, No. 75.)

MR. SEXTON moved to insert, in page 1, line 13, the following words:—

"Provided such person is in Ireland of his own free will, and has not been recently brought to Ireland in legal custody."

The object of the Amendment was to make the operation of the Bill practical, as in form it was literal. It was possible that a man might be taken to Ireland from England or Scotland on some charge not connected in any way with the Act, on a charge, say, of bigamy, and after it had been shown that he was innocent of that crime, and he had been released from custody, it was competent under the clause that they should keep him in prison on reasonable suspicion. He did not think the Chief Secretary would be willing to assent to anything like that, and therefore he wished the right hon. Gentleman to make it plain that was not the intention of the Bill.

Amendment proposed,

In page 1, line 13, after the word "Ireland," to insert the words "Provided, That such person is in Ireland of his own free will, and has not been recently brought to Ireland in legal custody."—(*Mr. Sexton.*)

Question proposed, "That those words be there inserted."

MR. W. E. FORSTER replied that it is not in the least likely that the police would take advantage of this bigamous man getting off, to arrest him under this Act. If the Lord Lieutenant and the Irish Government were likely to sanction such an arrest as that, they ought not to have this power; but he saw no reason why they should actually put in an Act of Parliament, that because a man happens to be let out of custody in Ireland for some other crime and was suspected as one of the offenders under this Act, therefore he should get off.

MR. HEALY supported the Amendment, and quoted the case of the murder of Lord Mountmorres. Persons might be apprehended in England on that charge, conveyed to Ireland and, being there released, be detained without having any opportunity of returning to the place where they were originally arrested. There might be other murders besides that of Lord Mountmorres. Murders under this Act would be very likely to occur. ["Oh!"] Persons would not be likely to see their friends put into gaol without trying to have some revenge. He maintained that the arguments of the right hon. Gentleman did not apply.

Mr. BARRY hoped the Government would give some assurance that any person taken into Ireland to answer a particular charge should not, when acquitted, be liable to be arrested, under the provisions of this Bill, upon an entirely different charge, and detained in custody for a period of 18 months. It would be terribly harsh and severe that a man taken against his will into Ireland, and tried and acquitted for one offence, should then be arrested, under this Act, for another. He hoped the Government would give some assurance that nothing of that kind would be allowed to take place; but that a man, upon his acquittal under such circumstances, would be allowed to return to the place at which he was originally arrested.

Mr. A. M. SULLIVAN said, that when an hon. Member remarked that there had been some cases in Ireland in which the jury had refused to convict, the hon. and learned Gentleman the Solicitor General for Ireland called out "the City of Cork." He hoped he was not wronging the hon. and learned Gentleman. [The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson): I did not say so.] He (Mr. A. M. Sullivan) apologized for having attributed the expression to the hon. and learned Gentleman. Someone certainly made the remark. A case did actually occur at Cork in which a man was arrested and put on his trial for an offence which he had never committed. The jury returned a verdict of acquittal, on the ground that the wrong person was in the dock and that the real culprits were the stipendiary magistrate and the inspector of police. If this Act had been in force, although the jury acquitted the man of the offence with which he was charged, the Crown would have been able to say, "No doubt the jury have acquitted you; but we suspect you, and, therefore, in you go again." That really appeared to be what the Government wanted. They were sporting with a double-barrelled gun, and if one of the barrels would not bring down the bird, the next might have a better chance. They, therefore, said, "You have already satisfied one tribunal of your innocence; but if we suspect you, down you must go." He was willing to admit that no responsible official in Dublin Castle would lend himself to any such transaction. He did not say this by way of compliment to the right hon, Gentleman the Chief Secretary; but he said it in common justice and fairplay towards the right hon. Gentleman. He did not think that any responsible official in Dublin Castle would lend himself to such an unworthy transaction, and would bring a man over from England for such a purpose. He did not believe that any Member of the Government would tolerate such a proceeding as that of bringing a man over to Ireland from London, to trepan him in this way, and bring him under the Act; but, at the same time, he did believe that some of the subordinates of the Irish Government under them, and probably even unknown to them, would do things which they would not for one moment defend on the floor of that House. He was about to name a very discreditable transaction which actually occurred in Ireland, and he did so without having the slightest desire to fasten a slur upon the official who did it. He had no doubt that the hon. and learned Solicitor General was well acquainted with the case, and it was about one of the most exquisite bits of sharp practice he (Mr. A. M. Sullivan) had ever heard of. An Irish Judge, in 1868, ordered Richard Pigott, who was under two indictments, to be removed from the custody of the Sheriff of the City of Dublin. The Sheriff accordingly released him with the right hand, but immediately arrested him with the other, on a second warrant, as Sheriff of the County of Dublin. It was a beautiful bit of sharp practice. He was ordered to release the man, and he did so as Sheriff of the City of Dublin; but he happened also to be Sheriff of the County of Dublin, and he held him in that capacity. This would show the House that in Ireland, if gentlemen filling the important position of

Sheriff had such ideas of official duties that they would do things unknown to those who breathed the more wholesome atmosphere of English Constitutional official procedure—things entirely unknown and not dreamt of on this side of the Channel—even worse things might be expected from the more subordinate officials. He was afraid that his countrymen in that House opposed the Constitution of this country, as they were doing now in connection with this Amendment, because they really knew very little about it. Such things as they were deprecating here could not be done in England. He would, therefore, advise his hon. Friend the Member for Sligo (Mr. Sexton) to withdraw the Amendment, in order to add a Proviso, "That the Lord Lieutenant may, if he thinks fit, order the man to instant execution."

MR. T. P. O'CONNOR wished, before the Amendment was put, to submit a few observations to the attention of the Committee. His hon. and learned Friend the Member for Meath (Mr. A. M. Sullivan) as he increased in years, seemed also to increase in the simplicity and ingenuousness of his character. His hon. and learned Friend stated that he did not think that any responsible official in Dublin Castle would bring a man over to Ireland on one charge, and keep him in prison on another. Now, he (Mr. O'Connor) was of opinion that the officials in Dublin Castle, and the officials on the Treasury Bench, were quite capable of arresting a man in England, taking him over to Ireland, bringing him to trial there, and, in the event of his being acquitted of the charge for which he was tried, arresting him under the provisions of the present measure, and imprisoning him for 18 months. ["Oh!"] Hon. Members opposite were accustomed to raise somewhat inarticulate objections to every statement they disliked, and, therefore, he was content in this instance to pass them by without further notice. Personally, he had very little doubt that subsequent events would show that the fear now entertained upon this matter was not exaggerated. He was afraid it would be found that many persons would be taken over to Ireland on trumpery charges who would never be brought up for trial in a Court of Justice; but Her Majesty's Government having got them over there in this tricky kind of way would immediately place them in prison under the present Bill. The thing had been done before. An hon. Member of that House was arrested in 1867 on a charge that was palpably false, and could not be supported by evidence. [*Cries of* "Name!"] The curiosity of hon. Members on the other side of the House for names appeared to have increased enormously since the Chief Secretary brought in this Bill. If he recollected rightly, the cries of "Name!" which were raised when the right hon. Gentleman quoted instances in support of his statement were met in every case with an indignant repudiation on the part of hon. Members opposite. In this instance he declined to mention the name. ["Oh!"] The name was well known to hon. Members. If the hon. Member were within the House, and he (Mr. O'Connor) had his permission, he would willingly give the name; but the case was very well known within the walls of that House, and he saw an hon. Member sitting opposite who was thoroughly acquainted with it. He (Mr. O'Connor) did not know what the precise nature of the charge against the hon. Member was—["Oh!"]—but he was arrested on a charge that was entirely false. Either he was never brought in Court to answer the charge, or, when brought up, the charge was of such a flimsy character that the authorities never proceeded with it; and the champions of freedom who now graced the Treasury Bench were the same who graced it when this despicable act of tyranny was committed. He was quite willing to judge the right hon. champions of freedom on the Treasury Bench upon their own indictment. If, under the suspension of the Habeas Corpus Act, they were guilty of the meanness of arresting a man on one charge, and not daring to bring it in open Court, they were, nevertheless, capable of keeping him in prison—a Government that would condescend to commit an act of such meanness were capable of any similar act of meanness again. There was no necessity for going back to what happened 10 or 14 years ago. Within the last few weeks two or three batches of prisoners were taken from this country on charges of crime to Ireland. The evidence against them was of so paltry a character that they were discharged; but when this Bill became law, Her

Majesty's Government might take over batch after batch upon some charge, which, if brought against them in open Court, would utterly break down, because there was really no case. But, having taken them over from this country, which did not suspend the liberties of the people, to another country, where the liberties of the people were suspended, Her Majesty's Government would take care that they were kept in prison. Under any miserable pretext they would take over obnoxious persons from this country with the sole object of bringing them under the operation of this Act. He hoped his hon. Friend the Member for Sligo (Mr. Sexton) would persevere with his Amendment. The conditions sought to be enforced by it would not accomplish much in the shape of changing the intentions of Her Majesty's Government; but the Amendment itself, and the discussion which had taken place upon it, would perform a very excellent part in exposing, in all their enormities, the harsh and tyrannical features of the measure now before the House.

Mr. SPEAKER then put the Question, "That those words be there inserted?" and declared that the "Noes" had it.

This decision having been challenged,

Mr. SPEAKER (in accordance with the New Rule) said: I must ask the "Ayes" to rise in their places.

The "Ayes" did so, and being more than 20,

The House *divided*:—Ayes 45; Noes 244: Majority 199.—(Div. List, No. 76.)

Mr. HEALY moved, in page 1, line 1, to leave out the words "such person in Ireland as may from time to time be directed by the Lord Lieutenant," and insert the words "may be nearest to the place of arrest." He hoped that the right hon. Gentleman the Chief Secretary would not object to this Amendment, which would simply provide that prisoners in custody under the Act should be detained in the local prison nearest to the place where they were arrested, and would enable them to be visited by, and have communication with, their friends and relatives. He quite saw the force of the argument that some of these prisons might not be fit for the reception of such prisoners; but, on the other hand, wherever it was practicable, some opportunity should be afforded to these unfortunate persons of being able to give directions as to the conduct of their business while they were under arrest. This could be done if the place of detention were a local prison near at hand. But, as the clause was now worded, the Lord Lieutenant might send a man to a prison at Mallin Head, whose usual place of residence might be at Cape Clear. It was probably the intention of the Government to send the prisoners to Dublin as far as it was possible, that being the place where central prisons were provided with ample accommodation. But, in the event of all the prisoners being taken to Dublin, some of them might be 200 miles away from their friends. This would be a serious matter to a man engaged in business, who would find it difficult, if not impossible, to conduct his business transactions at a considerable distance from his usual place of residence. Under these circumstances, he trusted that the Chief Secretary would feel that there was really something in the proposition he made. If, however, the right hon. Gentleman could not accept the Amendment, he hoped he would give the House some guarantee or assurance that the matter would receive attention, and he (Mr. Healy) would be perfectly satisfied with such an assurance. It would be sufficient to promise that the Lord Lieutenant would use a wise discretion in the matter, and not insist rigidly on having every man sent to a prison in Dublin. The representations of the prisoner and of his friends ought to be listened to, and if they said that the nearest local prison was suitable, both from its proximity to the prisoner's place of residence and business and from other considerations of the same kind, then, in the event of the accommodation being of an adequate nature, that the man should be detained there instead of being sent to Dublin. If the right Gentleman would give such a promise, he would be quite satisfied and would not press the Amendment.

Amendment proposed,

In page 1, line 14, to leave out the words "in Ireland, as may from time to time be directed by the Lord Lieutenant," and insert the words "may be nearest to the place of arrest,"—(*Mr. Healy,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. W. E. FORSTER: I do not imagine that the hon. Member means to press this Amendment. If it were passed the result would be that the prison nearest the place of arrest, whatever its want of accommodation or safety, must be the place in which the prisoner must be put. I had thought that in previous discussions hon. Members had expressed themselves content to have these prisoners confined in a central place. I trust that it will not be necessary to make these arrests in any large number, and I certainly think the best course will be to provide accommodation for them in some central prison in Dublin.

SIR JOSEPH M'KENNA believed that proper accommodation could be best provided in Dublin, and was in favour of every indulgence and consideration being paid to prisoners arrested under the Act that was compatible with their safe detention. He had no doubt that the question of proper accommodation had been carefully considered by Her Majesty's Government, and he therefore hoped that his hon. Friend would withdraw the Motion and not put the House to the trouble of a division upon it.

MR. PARNELL trusted that the Chief Secretary would give the House some information as to the plan they proposed to pursue with regard to the detention of these prisoners—whether he proposed to imprison them in Dublin, or in various gaols throughout the country. It stood to reason that a man largely engaged in business in the country would find it exceedingly inconvenient and detrimental to his business if he was removed to a prison that was a considerable distance away from that business. Unfortunately, he was not present in the House when the previous discussion took place upon the subject; but it seemed to him, from what he had heard, that the right hon. Gentleman the Chief Secretary to the Lord Lieutenant had not formed much idea of what these regulations were to be, or where he was going to put the prisoners when they were arrested under the Bill. Were they to have one central prison in Dublin? This was really a point upon which he thought the House was entitled to some information. Did the right hon. Gentleman propose to confine the prisoners in their own counties, or in some central prison in Dublin? Was he going to put them into one prison, or into a number of prisons? It was a matter of considerable importance, and one upon which the Government ought to have decided before now. Were they going to bring the prisoners from all parts of Ireland up to Dublin and place them in one prison, or to set aside prisons in several parts of the country for their accommodation? His own view was that the prisoners who would be detained under the operation of this Bill were entitled to be near to their places of business, so that they might have an opportunity of communicating with the persons who would have to manage their affairs during their absence. At any rate, they were entitled to have the chance of remaining as near as possible to their place of business. Otherwise, a large expense would be entailed upon the prisoners owing to the long journeys that would be necessary in order that there might be a communication between the prisoner and those who would have to manage his business. He hoped the Chief Secretary would give some indication to the House as to what his intention was in this matter. Did he intend to have one prison for all the prisoners, or to have several prisons in different parts of the country?

MR. O'DONNELL did not think it was desirable for the Home Rule Members to push this Amendment to a division. He understood that it had only been brought forward simply for the purpose of affording the Government an opportunity of doing what he considered they might very well do, and, indeed, what they had already declared it was their intention to do—namely, act towards the prisoners with the utmost humanity compatible with their safe custody. For instance, Her Majesty's Government had engaged to frame rules for treating the prisoners more humanely than untried prisoners were treated under ordinary circumstances. They had engaged to grant fair facilities for visiting the prisoners; but it was quite clear that a poor man arrested in his native place at a considerable distance from Dublin, and kept in custody at some central prison 60 or 100 miles away from his usual residence, would have very few facilities granted to him by the Government for being visited. Such facilities as were promised by the Government would be of no use to these unfortunate men, because their friends and relatives would be too poor to travel 100 miles or more once a week or once a month to see them. He did not suppose that the Government merely intended to keep the promise to the ear and break it to the hope. It was quite clear that if a man was to be kept in some central gaol 100 miles from his friends, there would be no power of carrying out the promise they had made. There was no question of political principle involved upon which the Government might go wrong. It was a mere question of ordinary humanity, and if the promise was to be kept which Her Majesty's Government had already given, the argument with regard to the possibility that the local prison would not be a place of safe custody would not hold, because everyone knew the solidity with which the gaols were built in Ireland. In point of fact, the gaols and the poor-houses were the most palatial monuments of British rule in that country.

Mr. A. M. SULLIVAN said, the reason why he asked his hon. Friend the Member for Wexford (Mr. Healy) not to press the Amendment was this. He thought the observation of the right hon. Gentleman the Chief Secretary for Ireland had great weight — that the prison nearest to the place of arrest might be unsuitable. It might be much too small; it might contain no provision for exercise; and it might be defective in many other important particulars. He had no doubt that in calling attention to the question his hon. Friend would have secured all the amelioration in the condition of the prisoners which he desired. If his hon. Friend would withdraw the Amendment, he (Mr. Sullivan) would then move, after the words "such person in Ireland as may from time to time be directed by the Lord Lieutenant," the insertion of the words

"and previously certified by him, by notice in the Dublin Gazette, as specially fitted and appointed for the detention of prisoners under this Act."

He thought that a provision of this nature at the end of the clause would answer every purpose. It would be altogether a mistake to put the prisoners who might be arrested under the Act in the village Bridewell. He would, therefore, ask his hon. Friend to accede to the request of the Chief Secretary and withdraw the Amendment.

Mr. LEAMY said, the right hon. Gentleman was perfectly right in taking care of the safety of the prisoners, but he would be glad to have some information as to whether it was the intention of the Government to confine persons arrested under the Act in one prison. For his part, he doubted that one prison would hold them all; but if it were the intention of Government to confine them in one or even two central gaols, it would be quite impossible for their friends living, say, in the North of Ireland, to come to Dublin for the purpose of seeing them. He therefore asked the Chief Secretary for Ireland, whether the Government had made up its mind to confine persons to be arrested under this Act in one or two central gaols, or in prisons near the place where they might be arrested, taking into consideration, of course, the strength of the gaol?

Mr. ARTHUR O'CONNOR wished to remind the Chief Secretary for Ireland that Dr. M'Donnell, whose Report he had quoted, had laid great stress in his remarks upon the condition of the Fenian prisoners, in the fact that many of them were imprisoned at such great distances from their friends as to render it impossible for their friends to come to see them, and he added that the idea of seeing their friends for a quarter of an hour a day was, therefore, a perfect illusion. The right hon. Gentleman had promised to extend the existing rules so as to allow prisoners under this Act to see their friends for a much longer period than a quarter of an hour a day. But that rather increased than removed the difficulty complained of, for, although the hours were extended, it would still be impossible for the friends of arrested persons to visit them from long distances.

Mr. HEALY was ready, with the permission of the House, to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Mr. A. M. SULLIVAN said, the Amendment he was about to propose had for its object to provide that the

Lord Lieutenant should name certain prisons as being fitted for the reception of prisoners under this Act,

Amendment proposed,

In page 1, line 15, after the word "Lieutenant," to insert the words "and previously certified by him, by notice in the Dublin Gazette, as specially fitted and appointed for the detention of prisoners under this Act."—(*Mr. A. M. Sullivan.*)

Question proposed, "That those words be there inserted."

MR. W. E. FORSTER could not understand what useful purpose the Amendment would serve. It would, if adopted, oblige the Government to certify a large number of prisons which would very likely have nobody in them, and thus create considerable inconvenience. He could not pledge himself as to what prisons persons arrested under the Act would be sent to, because he was as yet ignorant of the places where they would be arrested, and also of the number of persons who would be arrested. The feeling now expressed by hon. Members below the Gangway was rather in favour of local prisons, but the opinions expressed before were that there would be better accommodation in the central prisons. All he was able to say upon the subject was that the best would be done to prevent hardship and suffering to the prisoners consistently with their safe custody.

MR. NEWDEGATE pointed out that the two last Amendments contravened the principle of the Bill, which was that the House should entrust to the Executive the arrest and safe-keeping, upon humane conditions, of certain persons.

MR. T. P. O'CONNOR said, the hon. Member who had just spoken had extended the principle of the Bill. It was true that the Bill provided for the safe-keeping of prisoners, but there was nothing in it providing for their safe-keeping upon humane conditions. He was sure that every hon. Member must wish that in carrying out the Act in Ireland prisoners should receive humane treatment; but it was a fact that Irish political prisoners had never received humane treatment in prison. For that reason, Irish Members were endeavouring to have it inserted in this Bill that they should be so treated. The Chief Secretary for Ireland had said that expressions in favour of central prisons had, during the course of the debates, come from those Benches. That was perfectly accurate. He (Mr. T. P. O'Connor) had ventured to suggest that he should put as many persons as possible into the Central Prison in Dublin, because the accommodation there was far superior than in the smaller towns. He still adhered to that opinion, and thought it would be far better that the majority of prisoners should be confined in Dublin than in local prisons, which were conducted on the most antiquated and inhuman principles, and which were under the supervision of a Visiting Committee of local landlordism. But an hon. Member had pointed out that if these persons were imprisoned in Dublin they would be deprived of the consolation of visits from their friends, and also of the power of carrying on their business which would be afforded them in a local prison. For that reason, he (Mr. T. P. O'Connor) suggested that the right hon. Gentleman should give them the choice as to which prison they should be sent—that was to say, the choice between a local and a central prison. He himself might be placed in the disagreeable position of making such a choice, and, for his part, he should certainly prefer to be in Dublin than in the tumble-down structure belonging to his constituency, where he was sure the local landlords would wish to keep him as long as possible.

MR. W. E. FORSTER thought it would be a perfectly new principle to give prisoners a choice of the prisons to which they should be sent; but in the very improbable event of his having anything to do with the hon. Member for Galway (Mr. T. P. O'Connor), in connection with the Act, he could assure him that he would do his best to secure his comfort.

MR. T. P. O'CONNOR was much obliged to the right hon. Gentleman; but he would endeavour to prevent his having an opportunity of dealing with him.

MR. HEALY understood, from the answer of the Chief Secretary, that the right hon. Gentleman was willing, in some degree, to entertain the local view of the case, and, therefore, suggested that his hon. Friend should withdraw his Amendment.

MR. PARNELL asked if the right hon. Gentleman would extend to other persons the same consideration as he had promised to the hon. Member for Galway? If he was willing, as far as possible, to restrict the inconvenience of one person who might be detained under the operation of the Act, he could see no reason why he should not do so in all cases. This was a matter of considerable importance to all persons, many of whom might be detained in prison at a distance from the little trades which they carried on, and who, in consequence, would not be able to carry them on, nor communicate with the persons they had left in charge of them during their detention. He thought it was not too much to ask the Chief Secretary to say that he would, as far as possible, in choosing the prisons where such persons might be detained, see that no unnecessary inconvenience was inflicted upon them.

Mr. W. E. FORSTER said, the Government would, of course, consider how to cause the least suffering and hardship consistent with safety.

Amendment, by leave, *withdrawn.*

Mr. SPEAKER: The next Amendment is in the name of the hon. Member for Galway (Mr. T. P. O'Connor); but as it is an Amendment upon a subsequent Amendment of the right hon. Gentleman the Chief Secretary to the Lord Lieutenant, it would be well to put it after that Amendment.

Amendment proposed,

In page 1, line 18, after the word "shall," to insert the words "for the purposes of this Act." —(*Mr. W. E. Forster.*)

Amendment *agreed to.*

Mr. W. E. FORSTER: I have another Amendment to propose, which I promised to bring forward when we were in Committee—namely, at the end of sub-section 1, to insert an Amendment to provide that the warrant declaring anyone reasonably suspected of any crime other than high treason, treason-felony, or treasonable practices, shall state the character of such crime, and to provide that a copy of the warrant shall be given to every person arrested. The Amendment is the result of our long discussion as to the warrant. I stated, the House will remember, that the Government were quite willing—in fact, that we should be glad—to make it perfectly clear, and that it had always been our intention to make it clear to the person arrested, what was the character of his crime. I stated that a copy of the warrant should be given to him to show whether his crime was murder, incendiary fire, firing into a dwelling, or anything else.

Amendment proposed,

In page 1, line 21, at end of sub-section (1), to add the words "(2.) Every warrant whereby any person is declared to be reasonably suspected of any crime other than high treason, treason felony, or treasonable practices, shall state the character of such crime. A copy of the warrant of arrest shall be given to each person arrested under this Act on the occasion of his arrest."—(*Mr. William Edward Forster.*)

Question proposed, "That those words be there added."

Mr. T. P. O'CONNOR said, that, in obedience to the suggestion of Mr. Speaker, he was very glad not to press his Amendment, part of which was met by that of the right hon. Gentleman the Chief Secretary. The Amendments in their entirety, however, were very different. His was as follows:—

Clause 1, page 1, line 16, after "main prize," insert "and every warrant whereby any person is declared to be reasonably suspected of any crime or crimes other than high treason, treason felony, or treasonable practices, shall specify such crime or crimes, with particulars of time and place."

The difference was, that the right hon. Gentleman confined the information of the warrant to the statement of the "character of such crime;" whereas he (Mr. T. P. O'Connor) wished to add, after the word "crime," the words "with particulars of time and place." He would put it seriously to the Chief Secretary that he should accept this Amendment; and if the right hon. Gentleman would give him his attention for a moment, he would prove to him that his (Mr. T. P. O'Connor's) Amendment would be an improvement of the warrant. The great object of the right hon. Gentleman's Amendment as to the "character" of the crime, was to really let the prisoner know something about what he was charged with. He supposed the reason the right hon. Gentleman would like to give the prisoner some information as to the character of his crime was to enable him in the tri-monthly revision, which the right hon. Gentleman's next Amendment provided for, to clear himself of the charge specified in the warrant. He took that to be what was running in the mind of the right hon. Gentleman when he consented to state the character of the crime in the warrant. Then the warrant, as the right hon. Gentleman by his Amendment would have it, would either state too much or too little. It stated too much in giving the "character" of the crime, if the object of the right hon. Gentleman were to give no clue whatever with regard to the source from which he got his information against the prisoner, because if the character of the crime with which a man were charged were made known to him, he would have a clue to the person who must have given information to the Government under which he could be suspected. Accordingly, the warrant stated too much; but it stated too little, if the right hon. Gentleman was willing to face that danger; because what was the use of telling a man that he was charged with committing a murder, an incendiary fire, or with firing into a dwelling, or anything like that, if they did not tell him also the time and place of the crime? If they told him the character of the crime, but did not tell him the time and place, they did not give him an opportunity of clearing himself of the crime. For instance, when a man was charged with an incendiary fire, he might say, "Why, to my knowledge there was only one incendiary fire during this period, and the person who committed it was So-and-so, and he has left the country since, because he was afraid of the operation of this Act;" but the Government might say, "There were two or three incendiary fires committed, and if you were not guilty of No. 1, you were guilty of No. 2; and if you were not guilty of No. 2, why the probability is you were guilty of No. 3." But if they gave a man the particulars of time and place, he might be able to obtain the particulars of every incendiary fire, and, at the tri-monthly revision, satisfy the right hon. Gentleman that he was not guilty. He hoped the right hon. Gentleman would see his way to accepting the Amendment, which was a very unpretending one, and he had submitted it, he hoped, in a very humble manner. He would give the right hon. Gentleman the opportunity of getting rid of the *non possumus* argument he had adopted.

Amendment proposed to said proposed Amendment,

In line 3, after the word "crime," to insert the words "with particulars of time and place."—(*Mr. T. P. O'Connor.*)

Question proposed, "That those words be there inserted."

MR. W. E. FORSTER: I really cannot accede to this Amendment, as the hon. Member calls it, the reasonableness of which he said he thought he should be able to convince me of in a few moments. He and other hon. Gentlemen have debated the question over and over again, and I could have stated his arguments before he uttered them; I have heard them so often. The House has fully considered the matter, and has come to a conclusion upon it by an overwhelming majority. No new facts have come up, and I should have to apologize to the House if I detained it any longer on such a subject.

MR. CALLAN said, it was true the Committee had decided this point by a large majority, for all the majorities were large. Even the most reasonable propositions which had been made by the Irish Members had been rejected by large majorities; and if the "overwhelming majority" was an argument at all, it was an argument in favour of the suggestion of the hon. Member for Newcastle that when a Bill was declared urgent they should go to a division on it at once, and that no Amendment should be tolerated. The right hon. Gentleman the Chief Secretary did not condescend to give to the House one single valid reason why, on Report, he should not accede to the proposed addition to the Bill. Backed by a large majority, he had refused to alter the Bill one iota, or one tittle, up to a certain stage; but then, convinced by arguments, either in the House, or outside of it—convinced, perhaps, by a growing feeling in the country that his conduct was too dictatorial to be endured by Liberals, he had made Amendments himself. ["Question!"] That was the Question—that the Chief Secretary should condescend to assign some reason, however trifling, for the rejection of the proposed Amendments. The right hon. Gentleman's addition was to the effect that the warrant should state the character of any crime other than treason; but that was by no means satisfactory, as it would not give the prisoner the information he required. He would suggest to his hon. Friend (Mr. T. P. O'Connor) to withdraw the words "with particulars of," and leave merely "time and place." He (Mr. Callan) had been to Ireland twice this year. He should go to Ireland again—["Hear, hear!"] —and state what he had stated in this House. He heard a "Hear, hear!" from the right hon. Gentleman, and, in reply to it, he had to say he was very glad that the right hon. Gentleman had commenced the operation of the Act with his own advent to Ireland—and his own advent to that country was contemporaneous with the outbreak of crime there. ["Question!"] One and the other occurred at the same time. ["Question!"] This was the Question. He was in Ireland in October—["Question!"]—he begged that he might not be interrupted in making his arguments by cries which showed a contempt for law and order in that House——

Mr. SPEAKER: The hon. Member must address himself to the Chair, and to the Question before the House.

Mr. CALLAN said, the question he wished to address himself to was as to the necessity of specifying "time and place" in the Act. He was personally interested in the question, for he was in Ireland in October and December, and should be there again towards the end of this week. He might, when he got there, be arrested for language he used in October or December; and he desired, if he were so arrested, that the warrant should state, not only the "character," but the "time and place" of his offence. It was essential that he should know the time and place, so that if he were charged with having used language calculated to bring about certain results, he could appeal to the persons amongst whom he mixed at the time, and to the words he used, to show that he was not inciting to the disturbance of law and order. In December last he delivered a speech in the presence of a policeman-reporter and a reporter of *The Freeman's Journal. The Freeman's Journal* published an accurate report, so far as it went; but it was not a third, or a fourth, of what he had said. If he were told he was arrested for what he had said to his constituents at a public meeting in December, he wished to see in the warrant the day on which he had used the language, so that he could appeal to the independent reporter, to show that he did not use the words attributed to him. Nothing could be more disregardful of law and order on the part of the right hon. Gentleman than to say that he would not condescend to declare when and where a person had offended, when he had ordered that person's arrest. Under the misguidance of the right hon. Gentleman, the House seemed dead to all justice fairness and argument.

Sir JOSEPH M'KENNA said, that in Committee his hon. Friends had urged on the right hon. Gentleman that he should, at least, furnish a man who was taken up on suspicion with a bill of particulars of the crime of which he was suspected; and he was merely expressing the feeling of those hon. Members who were then present, when he said that the Chief Secretary promised to comply with their request. He (Sir Joseph M'Kenna) had understood the right hon. Gentleman to that effect; and he further understood that the right hon. Gentleman now purported to give effect to whatever arrangements he entered into in Committee, which had put an end to the discussion for the time. Now, let them examine what the Chief Secretary proposed to do. He proposed that the warrant of every person arrested should state the "character" of his crime. What could be more illusory than to give a man, when he asked for the particulars of the crime of the commission of which he was suspected, a statement as to the "character" of the crime? What was the meaning of the word "character?" He ventured to say that it had no legally determined meaning that was applicable in this case. "Character" meant something by which a thing could be characteriezd, however loosely or widely. Take the letters of the alphabet —each was different, yet each "letter" was a character. A man who was taken up on suspicion—who was deprived of his liberty under the warrant of the Lord Lieutenant—asked "for what is it that I am to be imprisoned under this special Act?" and he was informed "for violence." Was not that nonsense? He had no sympathy with the crime on suspicion of which a man might be arrested, but he had great sympathy for the men who would certainly be arrested without real cause. He did not mean to say that there would not be some cause for suspicion in most cases; but, no doubt, many who were arrested would not be criminal. He knew something about the operation of these Acts in former years. A great number of people had been taken up without there being the slightest real ground for suspicion against them, and he knew cases in which suspicion had been fostered by the very men who were most guilty. The real criminal, who went about hacking cattle, burning houses, and doing mischief all round, was always very anxious to escape justice. He was not only a criminal during the present exceptional period, but at all times; he was more active when crime was stirring and when public opinion was excited on some particular point. What he (Sir Joseph M'Kenna) wished to say was that this criminal was the man who, in numerous cases, would go to the police and point to somebody else less criminal than himself, though not above suspicion, as the guilty party. ["No, no!"] Hon. Members must not say "No, no!" to him, because he was speaking about something he perfectly understood. He knew more about Ireland than did those who cried "No, no!" What he asked was that the Lord Lieutenant would not issue his warrant until there was placed in his possession—not by the informers, for they were persons of another class, but by the people, his informants, who gave the information—the particulars of the offence suspected to have been committed by the man whose liberty he was going to take away, and so that the the offence committed or suspected should not be stated in general terms. "Violence" would be quite sufficient to answer the conditions prescribed by the right hon. Gentleman's Amendment. So far as he was concerned, he did not wish any division to take place on this matter. He had no object to serve in stopping late at night in this way, but he did not want to let a point like this pass without bringing to bear on it all the animadversion he considered necessary. He wished to see the particulars of the crime a man was suspected of having committed given in the warrant, so that the prisoner could clear himself if it were possible.

MR. T. D. SULLIVAN said, he would not interpose at that late hour to say a few words, only that he considered this a very important Amendment. A man was arrested on suspicion of having committed a crime. If there had only been a solitary offence of that kind committed in the district for a considerable period, then he might know, or might easily guess, the crime of which he was suspected and put into prison. But let them suppose a case that the Bill was alleged to be intended to meet, a case of a crime prevalent in a certain district. Suppose 10 or 20 crimes of a certain class had been committed in a limited district, then the man, in order to prove his innocence, would have to prove himself innocent of every one of them. That was surely requiring too much, and surely the way ought to be made easy for a man to prove himself innocent of an offence. It was only fair and reasonable that a guiltless man should have an opportunity of establishing his innocence. Though he put the matter briefly, still he thought there was great force in the argument; and if an innocent man was to have a chance at all, notwithstanding that the Chief Secretary had spoken on the subject before and the House had voted upon it, it was never too late to mend, and while the Bill was still before the House he could not consider that the case had been met that it was too late to mend it. The Chief Secretary had stated that arguments had been used so often that he was quite familiar with them, but they seemed to have produced no impression upon him; and as to the House having voted upon the Question, he believed the House would have voted equally readily for whatever the Government might have asked. What would they not have voted for? Late as it was, he urged the House to consider whether there was not force or reason in the argument that the innocent would get no chance so long as the nature of the offence, and the time and the place of the offence, were not specified in the warrant. If the Committee would accept the Amendment, a guilty man would not be able to acquit himself, while an innocent man would have a chance of doing so; but if they persisted in associating him with all the crimes of a district he would have no chance and must suffer, innocent as he might be.

MAJOR NOLAN thought the Government were running a certain risk of imprisoning a number of men in order to guard against a contingency that would very rarely occur. The only reason which the Chief Secretary had advanced against the Amendment was that witnesses might be intimidated in favour of an accused person. He admitted that in some cases that might be possible; but it was a very remote possibility in the general run of cases. By stating the time and place, they would only be giving a distant clue to the persons who had given information; witnesses would not necessarily be known, and only in rare cases could a connection be established between the man who gave the information and the statement of the time and place. He, therefore, thought the objection to acceding to the Amendment, or the objection to putting the time and place on the warrant, was really a very slight one. He did not say there was no ground for it; but, on the whole, it was very slight. He pointed out that it was not proposed by the Act to suspend the ordinary action of the law in Ireland, and, therefore, there would be witnesses coming forward in open Court during the operation of the Act. Why, therefore, in working one form of the law, under which a man would actually swear in open Court, should they, at the same time, take such extreme precautions for preventing any clue to informers? He thought the Government were jumping from one extreme to the other. They would have witnesses coming forward under the ordinary law, and yet they were permitting what would be a great injustice in an ordinary trial in order to prevent a clue to informers. He thought there were already too many precautions in favour of witnesses. It might easily happen that a man in course of conversation, or in a speech, said some things which could be misrepresented by the words or the sentences being misinterpreted or misplaced. If that man were arrested, he would never know with what particular act he was charged or for what particular speech he was arrested; but if the time and the place were stated, and the matter was brought before the Chief Secretary, it might turn out that there were circumstances which would lead the Chief Secretary to take a different view of the case. The Chief Secretary seemed to think that he would arrest no innocent man; but it was an acknowledged fact in Law Courts that a certain number of innocent men were imprisoned, and he might mention a well-known case, in which a man was arrested and convicted, and was only released through the accident of a notorious prisoner confessing two or three years afterwards that he had committed the offence. It was inevitable that a certain number of innocent persons, even under the ordinary law, would be punished; and he did not believe that, no matter what safeguards there were, while there was carelessness on the part of juries, and one Judge, perhaps, too much disposed to acquit, or another, perhaps, too much disposed to commit, that this could be avoided. When the Chief Secretary had to try men without safeguards, how many more innocent men would be likely to be convicted? If the Chief Secretary were sitting in open Court, and had all the opportunities of cross-examination and testing the character of witnesses, he still might occasionally convict an honest man; but the Chief Secretary was now proposing to deal with crime under every possible disadvantage, and how would he convince Irishmen that no innocent man would be imprisoned? At all events, he might give prisoners the one advantage of knowing the time and place, in order to enable these men, if they could, to prove an *alibi*, or to show that their accusers were not of a character to be relied upon, or that, even, if he was not entirely innocent, that there were still circumstances which the Chief Secretary would be glad to take into consideration. He thought the Government might grant that concession, and that there might be exceptional cases in which the time and place could not be given. He might give every possible opportunity to a prisoner of proving his innocence.

Mr. A. M. SULLIVAN said, this was the most important Amendment that had been proposed, in the sense that it involved the question whether an admittedly innocent person was to be punished. It was an Amendment the refusal of which would hereafter bring the most severe censure on the Government. Although the suspension of the Habeas Corpus Act might be necessary, the Amendment did not touch in any way the grasping and the holding of a prisoner if he should be guilty. The Government had assented to an Amendment that the Lord Lieutenant should, every three months, review the case of every man arrested. What would the Lord Lieutenant review? What was the object of review? The object of review was to test whether or not a mistake had been committed in a particular case. How would the Lord Lieutenant give a man a chance of proving that he had been arrested under a mistake unless he afforded the unfortunate prisoner some clue to the specific thing which constituted his crime? The romance of criminal trials in this country afforded abundance of cases in which circumstantial evidence had confused the identity of one man with another, and it led to men being executed on the scaffold who were perfectly innocent; and yet in those cases the accused men knew the particular time and place, and had the advantage of a Judge and a jury. Nevertheless, mishaps had occurred; but how would that be if a man accused of murder were allowed no other particulars than the simple charge, "You committed a murder;" and when he asked for the time and place, he was told that he should not know? Would it not be a farce, even though he would still have the protection of his counsel to cross-examine witnesses, and a jury to hear the case? Would not that man be denied justice in a public Court who was refused information as to time and place? He would assume that the case in which this was most likely to occur was in regard to acts of intimidation committed in a county in Ireland. A man who was at home and in bed might be arrested under the Act. What was he arrested for? Because someone had been intimidated in the county. He would not be told what was the act—he would not be arrested on any charge of intimidation, but on suspicion of intimidation; but what the intimidation consisted of he would not be told; he would not be told who was intimidated, or where. It might turn out that the act of intimidation was that in some shop in the village of, say, Ballyhaunis, he had said—"I agree with John Bright that the landlords would be exterminated if Ireland were removed a few miles Westward." The village policeman might declare that the man had said that the landlords would be exterminated if Ireland had a chance. He would not be able to carry in his mind that the man was simply quoting someone else, and the man himself would not have a chance of saying to the Lord Lieutenant that what he had said was purely a quotation from one of the inflammatory speeches of the Chancellor of the Duchy of Lancaster. If he had a chance, he might bring the charge home to the real criminal; but he would get no chance. The Chief Secretary, in regard to this Bill, affected to be a Pope—infallible—when he sat in the chair in Dublin Castle. Infallible—he could do no wrong. He credited the Chief Secretary with the best intentions; but he would ask the right hon. Gentleman to induce any of his Colleagues to state where, within the four corners of the Bill, was a prisoner, an innocent man, offered a single chance of satisfying the Lord Lieutenant, at the three-monthly examinations, that an error had been committed. It must be tedious to hon. Gentlemen to come down there and sit silent. Nothing in the world was more trying to hon. Gentlemen than to come there and not speak, but simply to be docile voters; and he invited any of them to get up and defend the Government whom they followed in such docility, and point out where, in the Bill, there was an offer, or a chance, given to an innocent man to satisfy the Lord Lieutenant that the charge was unfounded. Was it in the Bill? What opportunity was given? He would never be heard; there would be no trial; he would not be brought to the Council Table at Dublin Castle. And he urged the Chief Secretary, not that he should give a man a chance of escaping if he was guilty, but that he should enable it to be pointed out irrefragibly, and in a way that should satisfy his own judgment, that he had been misled, and that the original information upon which he acted was wrong. In refusing this Amendment, Her Majesty's Government showed that they were bent upon retaining the cruelty of the Bill. They were planting a sting in the minds of the Irish people much worse than the suspension of the Habeas Corpus Act; and long after the suspension of the Habeas Corpus Act was forgotten it would be remembered with indignation and bitterness, that this small measure of justice to an innocent man was refused by a Government that claimed to be the advocates of liberty, freedom, and justice. He confessed himself to be accountable, in a small way, for the fact that right hon. Gentlemen opposite were sitting upon the Treasury Bench; but no act of his would fill him with more poignant shame, indignation, and sorrow, than that he should have had any act or part in placing them there in view of their refusal of this Amendment. While he should concede to a Ministry acting under a sense of their responsibility to the Crown the duty of holding fast bound men whom they suspected of crime, he could view with no feeling but that of shame the refusal of Her Majesty's Government to give to an innocent man the chance of proving to them—not to a Judge, and not to a jury—but to them, and even allowing them to be the sole judges in their own case that he was really innocent. Would they not allow an innocent man, who might be arrested by mistake, some slender chance of proving to the Lord Lieutenant that by erroneous information he had been led into a mistake? It was most regrettable that a great Party like that of the right hon. and hon. Gentlemen opposite should refuse this small measure of simple justice. ["Oh!"] It was a great trial to him to speak closely, under the New Rules, to the subject before the Chair. It required a man to keep himself cool; but it required a very slight effort of intellect to say "Oh!" or to make any other interruption. If this Amendment would induce the Government to part with any of its hold upon a prisoner, he would not so strongly support it; but it was because he believed it was an entirely unnecessary act of cruelty to refuse the Amendment, and because he should regard its rejection with shame, sorrow, and indignation, that he so strongly urged upon Her Majesty's Government the propriety of acceding to it.

Mr. O'DONNELL said, he had endeavoured to arrive at an exact knowledge of the principles which governed Her Majesty's Advisers in refusing the Amendment which was now proposed; and he would ask the House with sincerity, whether they really accepted the role of justice and morality which was recommended to their acceptance by Her Majesty's Government? The right hon. Gentleman the Chief Secretary refused to state in the warrant more than the character of the offence for which a man arrested under the Act was suspected. He refused to give the slightest clue by which the truth or falsehood of the suspicion could be proved. He would ask the House to look at the question from three points of view. In the first place, from a point of view which involved the necessities of the suspected man. The innocent man was to have no clue afforded to him of time or place by which he could disprove the suspicion that weighed upon him, that took him away from his family and friends, from life and its occupations, and shut him up in a prison cell for 18 months. This refusal to an innocent man could only be based upon this principle in the mind of the Chief Secretary, "Better that a hundred innocent men should suffer than that one possibly guilty man should escape." Looking next at the question from the point of view of the accuser. A man was falsely accused, and the information was so cunningly planned that even a man of the remarkable astuteness of the right hon. Gentleman the Chief Secretary was led into error, and a warrant was signed in Dublin Castle which placed a falsely-accused man in gaol. Such conduct, on the part of the Chief Secretary, could only be justified on the principle, "Better have a hundred falsely accused men than that a single perjured informer should be discouraged in his official trade." Looking at the refusal of the Chief Secretary from the third and concluding point of view, the Chief Secretary had, in words, promised the House to place before it the means of controlling this highly irresponsible responsibility. Yet, the right hon. Gentleman deliberately declined to give the House any clue to enable them to ascertain whether he had exercised his responsibility in accordance with the facts of particular cases. He could only understand the refusal of the Chief Secretary to present no knowledge to that House of Parliament on the grounds upon which he acted, upon the principle, "Better that all notions of law and justice should be overridden and degraded in Ireland than that the incompetency of the Chief Secretary should be exposed on the floor of this House."

Mr. O'KELLY moved the adjournment of the debate. He hoped that, at that hour (half-past 1), it was not an unreasonable proposal, and he trusted that the Government would accede to it.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. O'Kelly.*)

MR. W. E. FORSTER said, he certainly could not consent to the adjournment of the debate, and he hoped the House would not accede to the proposition. They were now very nearly at the end of the first sub-section, and after they had disposed of it it would be time enough to adjourn the further consideration of these Amendments.

MR. HEALY said, that whether the Government agreed to the proposal of his hon. Friend the Member for Roscommon (Mr. O'Kelly) or not, he wished to disabuse the mind of the right hon. Gentleman and the Government of any idea that they had now reached the end of the first sub-section. He, himself, had an Amendment of very considerable importance to propose, and it would probably involve a discussion of some hours. He, therefore, asked the right hon. Gentleman not to go into the Lobby with the idea that the sub-section was likely to be summarily disposed of.

Question put.

The House *divided:*—Ayes 34; Noes 165: Majority 131.—(Div. List, No. 77.)

Question put, "That those words be there inserted."

The House *divided:*—Ayes 32; Noes 164: Majority 132.—(Div. List, No. 78.)

Original Question again proposed.

MR. HEALY rose to move an Amendment.

MR. SPEAKER said, I have to point out to the hon. Member for Wexford (Mr. Healy) that the Amendment placed in my hand is inadmissible, inasmuch as it is not consistent with the provisions of the Bill dealing with the same subject, which have been already passed.

MR. O'DONNELL said, if the Chief Secretary would not grant even a general description of the treasonable practices alleged, the warrant would simply be a sort of common form upon which informers would fall back when they had no case.

MR. T. C. THOMPSON pointed out that there was a little obscurity about the Amendment. The words were "that a warrant should be given to a prisoner on the occasion of his arrest;" but there was no mention that the warrant was to be left with the prisoner. He had heard it stated that all papers were taken away from a prisoner during the time of arrest; and, if that were to happen in the present case, the warrant would be of very little use.

MR. W. E. FORSTER said, the intention was that the warrant should be left with the prisoner.

Question put, and *agreed to.*

Words *inserted.*

Further Proceeding on Consideration, as amended, *deferred* till *To-morrow.*

FREE LIBRARIES BILL.—[BILL 43.]

(*Sir John Lubbock, Lord George Hamilton, Sir Charles Reed.*)

SECOND READING.

Order for Second Reading read.

SIR JOHN LUBBOCK, in moving that the Bill be now read a second time, said, the object of the Bill was to consolidate and digest the present law relating to Free Libraries. It was proposed to raise the number of requisitionists necessary to obtain a preliminary meeting from 10 to 50, because it seemed unreasonable that so small a number of ratepayers as 10 should be permitted to raise so large a question. If those who wished to adopt the Act could not secure a fair amount of support, they certainly could not carry their Resolution. Secondly, it was proposed that after a Library had been opened five years it should be possible to disestablish it. If it were unsuccessful it had better be closed. At present, those who opposed the opening of Free Libraries doubtless argued with some force when they said that such a Library, even if useless, when once opened could never be closed again. It was proposed, moreover, that boroughs should be allowed to combine for the purpose of having a Free Library, even if they did not actually touch each other. Beyond that, it was proposed that the voting in such cases should be by means of voting papers, which would be much less troublesome to everyone, and give more satisfactorily the real feelings of the ratepayers. In the case of Museums, it was proposed to legalize lectures, which would certainly render them much more useful and instructive. It was not proposed to raise the present limit of a penny. The question of rating was left exactly in its present position. The Bill also removed some doubts which had arisen as to procedure. Most persons would agree that Free Libraries were a great boon to the poor. If anyone doubted the demand for cheap literature — a demand which the spread of schools would certainly increase—let him go into the poorest quarters of any great town, and he would find ample proofs. Unfortunately, the literature supplied was far from being of a satisfactory character. Thus, Free Libraries contrived "a double debt to pay"—they provided a supply of useful and ennobling literature, and saved the young and the poor from what was degrading and injurious. He would give an illustration of the enormous number of volumes distributed by these lending Libraries. According to the Return for 1876, the total issue of books for the year was—in Sheffield, 316,000; Birmingham, 505,000; Leeds, 377,000; Manchester, 750,000; Liverpool, 800,000—the total number of books for England and Wales being in that year no less than 5,000,000. But since then even these large numbers had considerably increased, and last year the volumes issued in Liverpool alone amounted to no less than 1,300,000. He hoped the House would admit the advantage that would be derived from consolidating the law, and thought he need not enlarge on the desirability of facilitating the establishment of Free Libraries in the many important towns which, it was to be regretted, had not yet adopted the Acts. He had a large number of Petitions in favour of the Bill, signed by members of Free Library Associations throughout the country, and the managers of Libraries. In conclusion, thanking the House for having permitted him to make these few observations, he would merely repeat that the measure did not touch the question of rating, and only touched points upon which he did not think there would be much difference of opinion amongst hon. Members on either side of the House. If the Bill had proposed any alteration in the law on which there was likely to be a substantial difference of opinion, he should not have moved the second reading at that late hour; but he trusted that, seeing the great advantage there always was in a Consolidating Act, hon. Members would allow the measure to be read a second time. If it was thought desirable to have a Committee to consider how far these Libraries were as he described them, he should be happy to meet hon. Members opposite on the point; but, considering how little time they had had this Session, he trusted the House would consent to the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir John Lubbock.*)

Sir WALTER B. BARTTELOT was exceedingly sorry that his hon. Friend had thought it necessary to ask the House to read this Bill a second time that morning. The hon. Baronet had made use of the word "unreasonable," and he (Sir Walter B. Barttelot) would adopt it, and characterize it as most unreasonable to ask them to deal with such an important Bill as this at such an hour —2 o'clock in the morning. He would move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Sir Walter B. Barttelot.*)

Mr. HEALY hoped that the hon. Gentleman would not persist in his Motion. He could say for himself and his hon. Friends that they were quite in favour of the measure; but they observed, on reading the second part of it, "This Act shall not extend to Scotland or Ireland." He would not refer to that matter more than to say that when Bills of the excellent character of the present one were introduced, they should be extended to Ireland.

Mr. MUNDELLA said, there were some clauses in the Bill to which he had special objection, especially those that referred to the appointment of an Inspector by the Education Department. He thought the local authorities could manage these things very well, and he should certainly object to any increase of the inspecting power of the Education Department. At the same time, so far as this was a consolidating measure, it was a very good one, and it was very desirable that the Acts should be consolidated. There was nothing in the Bill to take increased power of rating, and whatever the details were, they might be very well considered by a Select Committee. It was not as though the House were asked to consider a large and comprehensive new measure, the hon. Baronet only wishing to improve the initiatory step for the establishment of Free Libraries. Everyone knew how they were established now, and how difficult it was in large constituencies to get meetings to consider the matter fairly. Meetings were called, and 500 or 600 people were got together to consider whether or not a Free Library should be established; the rooms were packed, and very often packed by those persons who were most bitterly opposed to Free Libraries, so that the subject was not at all fairly considered. This, however, was not a time for discussion. They could not possibly go into the question at this hour; therefore, as the hon. Baronet might never have an opportunity of bringing on the measure at a more reasonable hour, he would appeal to hon. Members opposite to allow it to be read a second time and referred to a Select Committee. So far as he (Mr. Mundella) was concerned, he certainly should oppose anything like increased cost to the State, central control, inspection, or any connection with the Libraries at all in the matter of supervision on the part of the Department. The local authorities, he thought, did the work very well. The Corporations had the power to appoint the best men in the town, and he did not believe any branch of our local business was much better managed than our Free Libraries. Under the circumstances, he would appeal to the hon. Member not to press the Motion for the adjournment of the debate.

SIR R. ASSHETON CROSS was, and always had been, an advocate of Free Libraries; but he protested against being asked to go into the consideration of a Bill of this kind at this hour in the morning. They had come there for a special purpose, at the special call of the Government, to consider an urgent matter; and he, in common with his hon. Friends, had been sitting there night after night to assist the Government, and with no other object, and on the implied and tacit understanding that no other Business would be taken. The right hon. Gentleman who had just sat down (Mr. Mundella) had shown that one part of the Bill was to be opposed by the Government, and there were other parts to be opposed by hon. Members sitting behind him (Sir R. Assheton Cross); therefore, he considered it unreasonable to go on with the measure at this hour. He deprecated the practice that had grown up of late years of allowing a Bill to be read a second time on the understanding that no principle was affected. He objected to such a violation of the Orders of the House, and appealed to the hon. Baronet not to press on the second reading to-night.

MR. A. M. SULLIVAN said, he heard with the greatest astonishment the obstruction, based on the ground that this was no hour to discuss the Bill; and he was the more astonished that this argument came from Englishmen, who had declared 4 o'clock in the morning to be an excellent hour to discuss a much more important Irish measure. He and hon. Friends around him had remained in the House to support this Bill, notwithstanding that for the past six weeks on them had fallen the brunt of the work. They had vindicated their conduct by remaining in the House to support a Bill designed for the good of the English people; and they were ready to continue sitting there to help forward that measure designed for the benefit and advantage of the English people, no matter at what personal inconvenience. What had he heard from the right hon. Gentleman (Sir R. Assheton Cross), an ex-Minister of the Crown? Why, that that was no hour to go into such a Bill? He (Mr. Sullivan) would put his argument in favour of the second reading on the ground that it did not come well from English Members to object to the stage at 2 o'clock in the morning, when they had said at 4 or 5 o'clock on other mornings, in reference to another measure—"Oh, this is a convenient hour; an excellent hour to continue the discussion." He hoped the hon. Baronet (Sir John Lubbock) would receive the support of the House, and that hon. Members would be consistent and declare, at least, 2 o'clock "an excellent hour" for the transaction of Public Business. He was glad that he saw hon. Members put to the blush—that he saw exposed the hypocrisy who had said that 5 o'clock in the morning was an excellent hour for suspending the Constitution of Ireland, and yet objected to giving Free Libraries to the people of England at 10 minutes past 2.

MR. R. N. FOWLER would remind the hon. and learned Member who had just sat down that the Irish measure to which he had referred had been discussed at all hours of the day, from 4 o'clock in the afternoon, before it was proposed to continue the discussion at 5 o'clock in the morning. The present was a different question, inasmuch as the measure came on for second reading for the first time at 2 o'clock in the morning. Though he was in favour of the Bill, and should vote for its second reading, he would put it to the House whether such an important matter could be properly discussed at such an hour in the morning.

Mr. ARTHUR O'CONNOR could not, on the present occasion, agree with his hon. and learned Friend the Member for Meath (Mr. Sullivan), seeing that the hon. Member had supported the Motion for the adjournment of another debate on the ground that they had to come down to the House again at 12 o'clock to-day. If there was any force in that argument before, there was a great deal more force in it now. The Bill contained provisions which were very excellent in their character, but which were very important, and deserving of full and careful consideration. There were provisions in it so useful that he should like to see the measure extended to Ireland; and though he was disposed to support the Motion for adjournment, he should be very willing to agree to the second reading, if he could obtain from the hon. Baronet in charge of the Bill an assurance that he was willing to extend it to Ireland.

Sir JOHN LUBBOCK said, he did not know what view hon. Friends around him would take of the matter; but, after the appeal made by hon. Gentlemen on the other side of the House, he thought it would be better not to press the Bill that evening. He was very anxious to carry hon. Members with him; and as he gave way now, in deference to their views, he trusted that those hon. Gentlemen would kindly assist him in bringing the measure forward on some future occasion.

Motion *agreed to.*

Debate *adjourned* till *To-morrow.*

PARLIAMENTARY ELECTIONS (EXPENSES) BILL.—[Bill 36.]

(*Mr. Ashton Dilke, Mr. Barran, Mr. Burt.*)

SECOND READING.

Motion made, and Question proposed, "That the Order for the Second Reading be read and discharged."—(*Mr. Ashton Dilke.*)

Mr. R. N. Fowler

Mr. CALLAN: I object to that.

Mr. SPEAKER: The hon. Member cannot object to this Motion being put, by reason of the hour. The hon. Member asks leave to withdraw a Bill and bring in another; and the new Bill, when brought up, will be in the same position that the other Bill occupied before.

Mr. CALLAN: If I remember right——

Mr. SPEAKER: The Question is, "That the Order be discharged."

Motion *agreed to.*

Order *discharged.*

Bill *withdrawn.*

Leave given to present another Bill, instead thereof.

PARLIAMENTARY ELECTIONS (EXPENSES AND SECOND ELECTION) BILL.

Bill to amend the Law relating to Parliamentary Elections, by providing for the payment of necessary expenses out of the rates, and for a second election in certain cases, *presented* accordingly, and read the first time. [Bill 93.]

RAILWAYS.

Ordered, That it be an Instruction to the Select Committee on Railways, That they do inquire into the passenger fares charged by Railway Companies, and report thereon. — (*Mr. Monk.*)

House adjourned at a quarter after Two o'clock.

HOUSE OF COMMONS,

Wednesday, 23rd *February,* 1881.

MINUTES.] — Public Bills—*Ordered—First Reading*—Vivisection Abolition * [94].

Considered as amended—Protection of Person and Property (Ireland) [90].

QUESTIONS.

THE NATIONAL GALLERY—HOURS OF ADMISSION.

Mr. D. GRANT asked the First Commissioner of Works, Whether he will take into his consideration the advisability of lighting the National Gallery, so as to allow our great collection of pictures to remain open to the public until 10 o'clock at night every week day throughout the year?

MR. SHAW LEFEVRE: Sir, the responsibility for deciding as to lighting the National Gallery by night rests, in a great measure, with its Trustees, and I could not take any steps without their approval. It would certainly not be desirable to light it with gas. The Collection is far too valuable to justify the Trustees in exposing the pictures to any damage from the vitiated atmosphere, or from the risk of fire. With respect to the electric light, I do not think we have yet sufficient experience as to the best system of lighting, or as to its merits or defects, to justify me in advising the Trustees on the subject. I may add that I am carefully watching the improvements which are constantly being made in the system of electric lights with a view to its adoption in some others of the public buildings.

AGRARIAN CRIMES (IRELAND)—THE RETURNS.

MR. LEAHY asked the Chief Secretary to the Lord Lieutenant of Ireland, If the report is true which appeared in the "Freeman's Journal" of the 19th instant, that the 20th Hussars, when passing through Athy, where they were billeted on the night of the 18th instant, committed a number of outrages on the unoffending inhabitants, knocked down a child, and pitched a man into the street, and marched through the streets uttering a peculiar kind of yell, and wanted to get their guns to clear the streets; and, if so, whether he would order steps to be taken to bring the offenders to justice?

MR. W. E. FORSTER: Sir, I have not yet been able to procure the information which the hon. Member asks for, and I must therefore ask him to postpone his Question for a day or two.

MR. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he has yet obtained a Return of Agrarian Crime in Ireland during the first fortnight of the present month; and, if so, how soon he will lay it upon the Table of the House; and, whether he intends to withhold from the House until after his Irish Coercion Bill has passed beyond the cognizance of the House the detailed Return of Agrarian Crime in Ireland for the month of December, which was ordered by the House six weeks ago?

MR. W. E. FORSTER, in reply, said, he did not think it was necessary to give fortnightly Returns. The Returns for last month would be laid on the Table in a few days. With regard to the detailed Return of Agrarian Crime for December, he had done everything he could to hasten its completion; and although it was not yet ready, he hoped it would soon be in the hands of Members.

MR. T. P. O'CONNOR asked, Would the right hon. Gentleman defer the third reading of his Coercion Bill until these Returns, upon which he had stated the Bill was founded, were in the hands of hon. Members, in order that they might form a correct judgment as to whether the Bill was necessary or not?

MR. W. E. FORSTER: Certainly not. The hon. Gentleman could not expect it.

MR. T. P. O'CONNOR: I can and do expect it.

LAW AND JUSTICE—BILLS OF SALE—LEGISLATION.

MR. REDMOND asked Mr. Attorney General, Whether it is the fact, as reported in the "Standard" of the 18th instant, in an action of Wilson *v.* The National Mercantile Bank, Limited, that on the 24th of December last, three weeks after the making of a bill of sale, and before any instalment was due upon it, the bank put into possession of a farmer's property 43 men, who remained in possession during Christmas, and forcibly took and killed a number of his sheep and consumed his provisions; and, whether money lenders are allowed to exercise such powers by the present Law; and, if so, whether it is the intention of the Government to introduce a Bill to amend the Law so as to prevent the abuses arising from such freedom of contract?

THE ATTORNEY GENERAL (SIR HENRY JAMES), in reply, said, he could not answer the Question of the hon. Member, because he had no knowledge of the case. He had not seen the report in *The Standard,* and could not be supposed to read all the reports published of legal proceedings. He might further say that he saw no necessity for any legislation on the subject.

CRIMINAL LAW (IRELAND)—ARRESTS AT THURLES.

Mr. T. P. O'CONNOR: I wish to ask the Chief Secretary for Ireland a Question which was on the Paper yesterday with respect to a number of men who were sentenced at Thurles on the 22nd of January and sent to Nenagh Gaol. I wish to know, Whether it is true that they were refused bail, and have been kept without food from early on Monday morning until the following morning?

Mr. W. E. FORSTER: I do not think the Question was on the Paper yesterday; but, in any case, I will ask the hon. Member to postpone it until to-morrow, as it will require time to obtain the information.

Mr. T. P. O'CONNOR: I wish to explain that the hon. Member who gave Notice of the Question sent me a letter which inclosed the Notice Paper of yesterday, and I understood from the letter that the Question was on the Notice Paper.

ORDER OF THE DAY.

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PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL.—[Bill 90.]

(*Mr. W. E. Forster, Mr. Gladstone, Sir William Harcourt.*)

CONSIDERATION. [ADJOURNED DEBATE.] [SECOND NIGHT.]

Order for Further Proceeding on Consideration, as amended, read.

PARLIAMENT — BUSINESS OF THE HOUSE (URGENCY).—NOTICE OF MOTION.

Mr. GLADSTONE: Sir, it may be for the convenience of the House that I should state that I wish to give Notice of a Motion in relation to the Business of the House, contingent upon the possibility that the proceedings on the stage of Report of the Protection of Person and Property (Ireland) Bill may not be finished to-day or to-morrow, before the hour named in my Notice. If they are finished before the hour named in my Notice to-morrow, of course that Notice will fall to the ground, and therefore it would not be put. I do not propose to hand it in at this moment, but to hand it in before 6 o'clock, and I mention it now for the convenience of the House. If the proceedings are not finished to-day, I will, before 6 o'clock, hand in the Notice, which is as follows:—

> "That upon the Consideration of the Protection of Person and Property (Ireland) Bill, as amended this day (meaning to-morrow) at seven o'clock, any Amendments then standing upon the Notice Paper shall be put forthwith."

And, together with that, I shall, in the same circumstances, move—

> "That the stage of the Third Reading commence immediately after the reception of the Report."

Further Proceeding on Consideration, as amended, *resumed.*

Clause 1 (Power of Lord Lieutenant to arrest and detain).

Mr. T. P. O'CONNOR, in rising to move, as an Amendment, in page 1, line 23, to leave out the words "person accused of crime, and not as a convicted prisoner," in order to insert the words, "a first class misdemeanant," said, he introduced it for the purpose of drawing the attention of the right hon. Gentleman the Chief Secretary for Ireland once more to the question of the prison rules, as he (Mr. T. P. O'Connor) was still far from satisfied with the assurances the right hon. Gentleman had given on the subject; and he wished to draw attention to the facts that were alleged to have taken place in connection with the Question he was going to ask on Friday, in reference to the treatment of a number of respectable men now confined in Nenagh Gaol. These persons were subjected to great privations and indignities; and if that were so before the passing of a Coercion Bill, it was likely that matters would be still worse under its operation. He asked the Chief Secretary for Ireland to give a personal assurance that whenever a complaint was brought before Parliament in regard to the treatment of a prisoner he would undertake to investigate it personally.

Mr. W. E. FORSTER: I rise, Sir, to Order. I wish to ask you if the hon. Member is in Order in illustrating his remarks by statements of what may be happening in the prisons of Ireland, when the facts are not before the House?

MR. T. P. O'CONNOR said, he was merely putting the case hypothetically. What he said was, that, if certain things went on in Ireland, they had a right to ask the Chief Secretary to see that such things should be prevented, and he submitted that he was in Order in putting the case.

MR. SPEAKER: I presume that the hon. Member intends to conclude with a Motion.

MR. T. P. O'CONNOR: Certainly. I have already stated that I will do so, and I will at once bring it up to the Table.

MR. SPEAKER: If so, I am not called upon to interpose.

MR. T. P. O'CONNOR concluded by moving his Amendment.

Amendment proposed,

In page 1, line 23, to leave out the words "person accused of crime, and not as a convicted prisoner," in order to insert the words "a first class misdemeanant,"—(*Mr. T. P. O'Connor,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. W. E. FORSTER supposed they must consider this a serious Motion. He was, however, surprised at the hon. Member putting it, because the rules for the treatment of first-class misdemeanants were not so favourable as those for treatment of prisoners awaiting trial. He hoped the hon. Gentleman did not wish to get it carried, for, if it were, it would be found to work very inconveniently to the prisoners detained under the Act.

MR. M'COAN said, he would appeal to his hon. Friend (Mr. T. P. O'Connor) not to press the Amendment in its present form. He (Mr. M'Coan) himself had an Amendment on the Paper on the same subject; but he withdrew it when, on examining the rules relating to untried prisoners, he had found that the latter were better treated than first-class misdemeanants. He would, however, suggest some change in the words proposed to be omitted, as they had no rules at present applying in terms to "persons accused of crime."

MR. LEAMY said, no one would doubt the guarantee of the right hon. Gentleman the Chief Secretary for Ireland, as far as he was himself concerned; and, no doubt, the Lord Lieutenant would observe any guarantees given by the right hon. Gentleman; but something more than this was required. Some opportunity should be given to hon. Members to know how the rules would be put in force, and the Government should give them some assurance that the rules respecting prisoners awaiting trial would be enforced, and not left to the discretion of the police and prison officials in Ireland.

MR. SEXTON insisted on the necessity of a provision to that effect being inserted in the Bill. He was, therefore, not at all surprised that his hon. Friend the Member for Galway (Mr. T. P. O'Connor) had brought forward the Amendment. He did not doubt the guarantee of the Chief Secretary for Ireland, as far as the right hon. Gentleman was personally concerned; but considering what had happened at Thurles, where persons who were only found marching around a grazing field were left 24 hours in gaol without food, and then told they were not to get their breakfast until they worked for it, he could not imagine what excess of tyranny might happen in reference to persons accused of crime after the passing of the Act. In addition to the treatment of prisoners, he thought they were bound to request some assurance from the right hon. Gentleman that local tyrants would not be allowed to indulge their own personal vindictiveness upon the unfortunate prisoners over whom they might have control.

MR. W. E. FORSTER said, with regard to the case at Thurles, referred to by the hon. Member, the House had only heard one side of it yet; and, besides, he was not responsible for what might have taken place. Under this Bill, a special responsibility was cast upon him to see that the prisoners were properly treated.

MAJOR NOLAN hoped the hon. Member for Galway (Mr. T. P. O'Connor) would withdraw his Amendment. The object he sought to secure was covered by the statement of the Chief Secretary for Ireland that prisoners waiting for trial were treated better than first-class misdemeanants, and Irish Members had a strong position upon that statement. Whatever assurance the right hon. Gentleman gave the House he was sure to carry it out.

Mr. O'SULLIVAN also thought that the promise of the Chief Secretary for Ireland, in regard to the prison rules, should be accepted. It would be a mistake to press the Amendment, and he, for one, should vote against it.

Mr. T. P. O'CONNOR said, in accordance with the personal request of his hon. Friends, he would withdraw the Amendment. The Chief Secretary for Ireland was quite right in asserting that first-class misdemeanants were not as well treated as prisoners awaiting trial, if the rules were carried out; but he (Mr. T. P. O'Connor) begged to say that the rules were not observed, and he knew they would not be observed.

Amendment, by leave, *withdrawn.*

Mr. T. P. O'CONNOR (for Mr. Parnell) moved, as an Amendment, in page 1, line 27, after the word "rules," to insert the words—

> "Having special regard to the greater length of the possible duration of the imprisonment of persons detained under this Act than that of persons awaiting trial, and the necessity of permitting where possible the association in the daytime of the former."

The hon. Member said, that the object of the Amendment would be readily perceived. Persons who, under the ordinary law, were awaiting trial would not be kept beyond a few weeks at most. If they were kept for four or five months, all the newspapers of the Kingdom would be ringing with the grievance; but persons under the Bill might be 18 months in prison, and a treatment that might be perfectly humane when applied for a few weeks would be altogether barbarous when extended over a long period of imprisonment. He thought the right hon. Gentleman the Chief Secretary for Ireland should give the House an assurance that persons detained under the Act would be treated differently from ordinary untried prisoners, and as well, at all events, as prisoners were treated under the Westmeath Act. It was absolutely necessary, besides being a great relief to them under the circumstances, that they should be permitted to mingle with each other in order to prevent insanity. He thought the right hon. Gentleman was bound to say that any prisoner arrested under the Act should have an opportunity of daily association with some persons of the same class in society as himself.

Amendment proposed,

In page 1, line 27, after the word "rules," to insert the words "having special regard to the greater length of the possible duration of the imprisonment of persons detained under this Act than that of persons awaiting trial, and the necessity of permitting where possible the association in the daytime of the former."—(*Mr. T. P. O'Connor.*)

Question proposed, "That those words be there inserted."

Mr. W. E. FORSTER: The hon. Member for Galway (Mr. T. P. O'Connor) is very exacting with regard to the regulations which are to be made. His last request is more so than any one I have yet heard. He says that we ought to secure to every person detained under this Act that he should have daily association with somebody in his own position in life. There have been, in the course of the debate, hints thrown out that persons of good position might possibly be arrested. They had not been thrown out on this side of the House, nor by me, or any of my Friends. Therefore, I do not at all endorse the probability. But supposing there was a person in position arrested, it would be rather hard upon the Government to have to arrest somebody else who had committed no crime, and who was not suspected of having done so, in order that the gentleman arrested might have someone to keep him company. [*Laughter.*] I must really refer the House to the position in which the question of these rules was left. I stated that we had taken the rules with regard to prisoners awaiting trial, with the belief that they were, on the whole, the most favourable, after having compared them with the rules relating to first-class misdemeanants and those under the Westmeath Act. In the debate it was stated that these rules, to some extent, would depend upon the Visiting Committee, and we believed the Visiting Committee would act with perfect justice in the matter; but, in order to remove any possibility of misconception, we undertook to seriously consider the matter, taking into account the Westmeath rules, as well as the other rules, and to make fresh rules and put them on the Table as early as possible after they were made. I do not think we can do further than that, and I do not think the House will ask us to do so. I stated, in debate, that one of the facts we shall have to consider and take into account is that prisoners arrested under this Act would be detained longer than ordinary prisoners awaiting trial. The hon. Member has illustrated his statement by what he says is happening to certain prisoners confined in a prison in Tipperary. I must ask the House to remember that it is only a one-sided statement that has been made, and I am not prepared at present with the facts. I am not personally responsible for the management of the prison in Tipperary; but the hon. Member does not for a moment suppose that I admit the truth, and I think the House ought not to admit the truth, of the statement he has made, but I am quite willing to admit—in fact, I have admitted from the beginning—that the prisoners under this Bill will be more completely in the hands of the Irish Executive Government than prisoners generally awaiting trial; and that there is a responsibility attaching to us with regard to them that does not attach to us with regard to others. I cannot accept this Amendment.

MR. JUSTIN M'CARTHY thought the Amendment very reasonable. Its principal object was to prevent the rules being misapplied by the local authorities. The persons arrested under the Act would not be criminals of the ordinary kind, or men guilty of any moral offence whatever. The House should remember that not only would their detention under the Act be much longer than that of ordinary prisoners awaiting trial, but, as a rule, they would be taken from an entirely different class. He did not mean socially, he meant morally. He did not think that, under the operation of the Act, there would be one of the professional criminal class arrested. There must be already quite sufficient power in the ordinary law to arrest a man who had committed a crime of the ordinary kind. Therefore, the persons who would be arrested under the powers which the ordinary law did not afford would be persons who would be guilty of no moral offence, who would be under no taint or odium in the country in which they were arrested. He thought it was most important that men of that class should, as far as possible, be kept separate from the ordinary criminals who filled the gaols. There was every reason for making a marked distinction. It had been observed that one strong reason in Ireland why there wa snot that high respect for the operation of the law was, that the people were accustomed to see the application of the political law brought to bear against men of the highest moral character. When the population, especially those who had least education, observed that condition of things, they confounded the whole operation of the law with the political law. As he had said, the persons who probably would come under the operation of the Act would be guiltless of any moral offence; and, therefore, in the interest of law and order in Ireland, he hoped the clear distinction would be drawn. The confinement of such men in Irish prisons was, unhappily, nothing new; but, at any rate, it would be well to impress upon the popular mind the fact that such a distinction existed between the two classes of prisoners.

MR. MORGAN LLOYD said, the House ought not to allow an observation used by the hon. Member who had just sat down to pass unnoticed. He said that the persons who would be apprehended under the Bill would be guilty of no moral offence. In other words, it came to this, according to the hon. Member for Longford, that "treason-felony, treasonable practices, and crimes punishable by law, being acts of violence and intimidation," were not moral offences. He (Mr. Morgan Lloyd) protested energetically against such a doctrine being preached in that House, or to the people of Ireland.

MR. JUSTIN M'CARTHY explained that he had said the persons arrested would not, probably, be those who committed outrages, for these would be arrested under the ordinary course of law, but persons suspected of political offences.

MR. FINIGAN, in supporting the Amendment, observed that they could well understand the want of comprehension of the hon. and learned Member opposite (Mr. Morgan Lloyd), because he was so used to make monosyllabic orations in that House that he paid no attention to what was being said about him. There was some misunderstanding as to what they were aiming at in their Amendments to the Bill. If the Bill were carried out by the Lord Lieutenant and the Chief Secretary for Ireland, he (Mr. Finigan) would be sorry to assume that it would not be carried out with justice and humanity. But it would be neither of those who would take care that the rules were carried out. These rules would be looked into by a Visiting Committee, on which experience had taught the Irish people they must not place too much confidence. These words of the Amendment, if introduced, would be pointedly quoted to Governors of prisons and warders. Their attention would be specifically called to the fair treatment of prisoners. Without that they would translate the law for themselves, and the men had given no proof that they would interpret the rules in the interest of humanity and justice. All who believed that the Bill was to prevent, and not to punish crime should support the Amendment.

Mr. BIGGAR said, the Chief Secretary for Ireland had, in principle, conceded everything that the Amendment would give; and, as he (Mr. Biggar) understood it, the Amendment only amounted to a recommendation, and did not go into detail. It simply declared that certain things should be taken into consideration, and the Chief Secretary for Ireland had already stated that these very things should be considered by the Lord Lieutenant. But the special advantage there would be in having the words embodied in the Act itself would be that they could be referred to, and there would be no room for controversy as to what really was the statement made. The hon. and learned Member opposite (Mr. Morgan Lloyd) overlooked the fact that arrests would be made under the Bill upon suspicion, and surely there was no moral offence in being suspected. But, on the other hand, in Ireland, far from its being considered any moral offence, it would be considered an honour to be arrested under the Act. That was the real position, and it was well known that in past times persons charged with political offences had received the highest honours their countrymen could bestow.

Mr. T. D. SULLIVAN observed, that the right hon. Gentleman the Chief Secretary for Ireland seemed anxious that no impression should get abroad that persons guilty under this Act were guilty of any moral offence. He (Mr. T. D. Sullivan) maintained that persons arrested under this Act would be innocent of any moral crime. The Government, in making their arrests, should be careful whom they did arrest, for a selection of the men arrested under the Suspension of the Habeas Corpus Act would be made for the return of future Members to Parliament. The men arrested under the Act would be the most spirited and intelligent young men in the community. It was only the stupid men, of no spirit and no brains, who would be left untouched.

Mr. SPEAKER: I must point out to the hon. Member that he is not addressing himself to the Amendment before the House.

Mr. T. D. SULLIVAN: I thought I was, Sir.

Mr. SEXTON said, the right hon. Gentleman the Chief Secretary for Ireland was jocular upon the remark of his hon. Friend (Mr. T. P. O'Connor), and excited the laughter of some hon. Members near him; but it ought to have been obvious that, when speaking of the association of prisoners of the same class, he referred not to the same grade, but to the same mental and moral class. That which he wished to provide by the Amendment was to spare to these men the pain and degradation of associating with ordinary criminals. The Chief Secretary for Ireland need not doubt of his finding company for his prisoners, for, if he followed the advice of Dublin Castle, he would have plenty of every class, except the landlord class. ["Question!"] So far as the Bill was merely a preventive to crime, its purpose would be served by the detention of prisoners; and he had a right to argue that further punishment should not be added. The object of the Amendment was perfectly reasonable. It only asked the Lord Lieutenant to have regard to one special fact—namely, that persons detained under the Act might be kept in custody much longer than untried prisoners under the ordinary law. If the Bill really was not intended to be vindictive, the punishment it involved ought to be mitigated. Therefore, it was the obvious duty of humanity to lighten the penalty of the imprisonment in the case of offenders under the Act. That penalty, to persons of sensitive organization, would be indefinitely aggravated by solitary confinement; and he appealed to the Government not to add to the penalty of detention the gratuitously cruel punishment of solitary confinement.

MR. R. POWER said, the Chief Secretary for Ireland said a rather extraordinary thing when he complained of being obliged to arrest someone to keep someone else company in prison. He (Mr. R. Power) did not think there would be any necessity for that; for if he carried out the provisions of the Bill there would be plenty of people arrested for other reasons. There was nothing so dreadful as solitary confinement. The Reports of the medical authorities in 1867 proved beyond a doubt that many men became insane from this cause. He would only ask, supposing a Member of the House were arrested, that that hon. Member should have the opportunity of conversing with others for certain hours in the day. It would be hard for the Government not to allow that. Take the case of the noble Lord the Member for Woodstock (Lord Randolph Churchill). He humorously suggested, the other day, that he would be a little afraid of visiting his friends in Ireland under the Act. Well, supposing the noble Lord's fears were realized, and that he was arrested, and suppose that in the same prison to which he was committed there happened to be the hon. Member for Cavan (Mr. Biggar) as an inmate. Surely, it would be very hard not to allow these two Gentlemen the opportunity of intercourse during some hours of the day. The Chief Secretary for Ireland had said he was not responsible for the gaols, and that was one reason for the Amendment. Suppose the hon. Member for Tipperary (Mr. Dillon) were put into Tipperary Gaol, it would be found that the Visiting Committee would have altogether different tastes to the hon. Member, for they were taken from the landlord class, and would have all the feelings and prejudices of that class against the men under their charge by this Act. The hon. and learned Member for Beaumaris (Mr. Morgan Lloyd) had told the House that persons guilty of treason or treason-felony, or other crimes, should be punished, and with that he (Mr. R. Power) quite agreed; but the whole difference was that the persons arrested under the Bill would be merely suspected, and surely should not suffer as if they were proved guilty. The whole opposition of the Irish Members was based on that ground, and the right hon. Gentleman, without making any great concession, would only be displaying an amiable quality if he gave a favourable ear to the Amendment.

MR. HEALY said, the people of Ireland had had experience of Coercion Bills, and all they now wanted was, that if the Chief Secretary for Ireland would not accept the Amendment, he would at least make some distinct statement which could be put upon record and referred to by the friends of the prisoners in case of irregularity on the part of any local prison authority. The right hon. Gentleman was somewhat facetious when he said that, in order to provide company for certain persons, it would be necessary to arrest persons in a similar grade. It was easy to make such remarks as that in the House; but would it not be much better if, instead of inflicting needless torture, he allowed the prisoners to choose such society as was available in the prison? All the difficulties would then be met. There was nothing unreasonable in allowing those men confined in prison for the same class of offence to associate with one another. They had no guarantee beyond the mere general promise of careful consideration as to what the treatment of the political prisoners would be. Government, no doubt, meant to treat the men well in all cases; but it was every day happening that irregularities did occur in gaols for which the Government could only express regret. It had been justly said that when an Amendment of this character was proposed the right hon. Gentleman indulged in vague generalities. He (Mr. Healy) could not understand why he should appear so reticent in making a distinct statement as to what would be the treatment of the prisoners.

MR. DAWSON said, the venue of the trust on which the House was asked to accept the Bill appeared to have been changed, and the treatment of the prisoners was no longer to be taken on the trust reposed in the Government, whom the House did know, but on a trust to be reposed in the Irish Prison Board, whom it did not know. The constitution of the latter Board had been so changed that the people could not place confidence in it, hence the present demand on the part of the Irish Members for a distinct understanding with the Government. If a prisoner were sent to a gaol where there was no possibility of his friends visiting him, was it not all the more necessary that he should be allowed some intercourse with the other inmates of the gaol? The Chief Secretary for Ireland ought to give them a fair, honourable, and just understanding.

Question put.

The House *divided*:—Ayes 29; Noes 154: Majority 125.—(Div. List, No. 79.)

MR. T. P. O'CONNOR (for Mr. PARNELL) moved as an Amendment, in page 1, line 28, after the word "Act," to insert the following words:—

> "Having regard to the desirability of securing dry, well-lighted, and suitably heated rooms for such prisoners, and as much exercise daily as they may desire, and association during the daytime with such other prisoners detained in the same prison under this Act as may be found desirable."

He did not know whether he was justified in proceeding with his Amendment, seeing that the Government had not the decency to leave a single Representative of Ireland on the Treasury Bench; but that was only another instance of the contempt with which they treated the Irish Members. He welcomed the return to the House of the hon. and learned Gentleman the Solicitor General for Ireland; but he hoped that hon. and learned Gentleman would soon become acquainted with the Rules of the House, which forbade his standing up in his place, and interjecting stage asides to hon. Members opposite. Next, he was glad to perceive the bodily presence of the Chief Secretary for Ireland, and he hoped that right hon. Gentleman would bend his great mind to the merits of the Amendment, and give the House something better than one of those stereotyped and hackneyed replies which they were accustomed to hear from him. They did not want to be told that the Lord Lieutenant would look after this and every other matter, and that they might trust to his Excellency to secure for prisoners under the Act dry, well-lighted, and suitably heated rooms. It was their duty to leave as little as possible to the Lord Lieutenant, who had too much to do with levees and drawing-rooms to attend to such inferior matters. Besides, if his Excellency could not secure dry, well-lighted, and suitably heated rooms for the entertainments at Dublin Castle, he would probably find it rather difficult to secure them for prisoners under the Act, unless he were bidden to do so by the voice of Parliament. With regard to the question of association during the daytime, the right hon. Gentleman, in a tone of gifted jocosity, pretended to assume that what he (Mr. T. P. O'Connor) meant was that if one Member of Parliament were put in prison it would be necessary to put another in to keep him company. But that was not what he meant, as the right hon. Gentleman very well knew. What he meant was, that they were bound to put him in such a place that he would have the association of persons in the same class of society as himself. A prisoner under the Act ought not to be detained in a local prison amongst pickpockets and murderers, and neither ought he to be subjected to the horrors of solitary confinement. He would ask the right hon. Gentleman to put off his lighter mood, and treat this question with becoming gravity.

MR. SPEAKER: The hon. Member is repeating appeals to the Chief Secretary to the Lord Lieutenant in almost the same language as those which he has already addressed to the right hon. Gentleman in supporting the previous Amendment. I must caution the hon. Member that if he persists in that line of argument I shall have to call upon him to discontinue his speech.

MR. T. P. O'CONNOR said, he bowed to the ruling of the Chair, and he would endeavour to vary the language of his remarks, so that he might succeed in reaching the mind of the Chief Secretary for Ireland in another way. All he wanted was that the right hon. Gentleman should give an undertaking to the House that a prisoner under the Act should not be placed in such circumstances as would amount to solitary confinement. Failing to obtain that, he should proceed to a division on the Amendment.

Amendment proposed,

In page 1, line 28, after the word "Act," to insert the words "having regard to the desirability of securing dry, well-lighted, and suitably heated rooms for such prisoners, and as much exercise daily as they may desire, and association during the daytime with such other prisoners detained in the same prison under this Act as may be found desirable."—(*Mr. T. P. O'Connor.*)

Question proposed, "That those words be there inserted."

MR. W. E. FORSTER said, he could not accept the Amendment. The question it involved had been considerably discussed in Committee, and the only assurance he could give on that subject now was the same that he had given to the Committee—namely, that the Irish Executive would make the best rules they could possibly frame, consistently with safe custody for the prevention of suffering on the part of those who might be detained under the Bill. It had been said, on more than one occasion, that these persons would be political prisoners. He (Mr. W. E. Forster) entirely disavowed that assertion, as he did not see how it could be possible to call a man who might be arrested on suspicion of burning ricks or maiming cattle a political prisoner. Nevertheless, he admitted that they ought not to lose sight of the fact that they would be prisoners arrested on reasonable suspicion, and not prisoners who had been tried and convicted, or who were awaiting trial by jury. The utmost he could do was to repeat the assurance that the Government would look most carefully to this subject, and he thought they had already proved that it was their intention to do this. They had taken the best prison rules they could find — rules which he believed were more favourable than any others. He alluded to the Westmeath Rules, which had been allowed to have worked very well, and which provided for association; but he could not undertake to provide, by any special stipulation, for what was to be done in the matter.

MR. SEXTON said, that the assurances of the right hon. Gentleman could not be regarded as in the least degree satisfactory. They could only be regarded as satisfactory by those who had confidence in the Government, which the Irish Members had not. The mere vague assurance that the Government would do the best they could was on a par with the vague suspicion upon which persons would be arrested. It had not been asserted that the persons arrested under the Act would be political prisoners. [MR. W. E. FORSTER: Over and over again.] Some would be political prisoners, others would not. Where so large a proportion of innocent persons would be arrested, the Government were bound to see that their health would not be injured, nor their reason impaired. That was the more necessary, as they knew that prisoners in their gaols had been deprived of health and reason by the slow torture of solitary confinement. It should be borne in mind that this was merely a preventive Bill, and its object was not to punish the prisoners who would be detained. Therefore, the full extent of its operation would be reached when the safe custody of the prisoners was secured, and in that case he failed to see how the Government could hesitate about laying down in the Bill the securities which the Amendment would provide. Anything like solitary confinement in these gaols should be resisted to the uttermost, and the Irish Members required such a full and definite assurance on the point that no ingenuity of the Government would enable them to recede from it afterwards.

MR. HEALY disagreed with the right hon. Gentleman the Chief Secretary for Ireland in his objection to the application of the term "political prisoners" to the prisoners who would be detained under the Bill. He would admit that a man charged with houghing cattle or burning ricks could not be a political prisoner; but the conduct of the Government in past times, in charging political prisoners with ordinary crimes, did not produce confidence in Irish Members. A man might be a political prisoner, and might have it written down against him that he had houghed cattle or burnt hayricks. With their experience of what Irish policemen were trained to swear, as a Dublin magistrate had stated, they denied that the suspicion under which people might be arrested would be reasonable. What opportunity would the prisoner have of showing that the endorsement on his warrant was not true? So long as the police had the power of placing on the warrant whatever charge they pleased, they could not accept the assurances of the Government. Hon. Members might complain of the course Irish Members were pursuing, and say that it was inconvenient and unusual; but if their course was unusual, the Bill was unusual. He knew, also, that it was very little use advancing arguments in favour of this reasonable Amendment, for the Members who had set their minds against justice to Ireland paid no attention to them. There were very few present now, and they did not care a button for questions materially affecting the liberty of the Irish people.

Mr. SPEAKER: I am bound to point out to the hon. Member that he is wandering from the Amendment before the House.

Mr. HEALY said, he was only making an apology to the House. What objection could there be to put into the Bill words which would not bind the Government more than the right hon. Gentleman stated the Government were willing to agree to? All the right hon. Gentleman said was, that they must trust the Government; but they did not trust the Government. The Government was always doing the "best it could" for Ireland, and was always causing dissatisfaction.

Mr. SPEAKER: The hon. Member is repeating the same arguments with such tedious iteration that I must call upon him to resume his seat.

Mr. LEAMY said, that as the Amendment was nothing more than a mere direction to the Lord Lieutenant it would not be obligatory on him; and, therefore, he did not see why the Chief Secretary for Ireland should refuse to accept it. Persons arrested on suspicion, of whom a large number would be innocent, being the victims of private malevolence and spite, ought to be treated better than ordinary prisoners. Unless care was taken that the prison rules should be modified, those men would be subjected to harsher treatment than ought to be inflicted on them. Besides, it should be remembered that many of them would be kept in prison for a longer time than persons convicted of ordinary crimes.

Mr. BARRY, in supporting the Amendment, argued that the assurance given by the Chief Secretary for Ireland that the Government would do their utmost to secure fair and reasonable treatment for prisoners afforded no guarantee whatever that such treatment would be extended to them. The unsatisfactory results which followed similar assurances under the last Coercion Act showed that something more definite than vague assurances were necessary to insure proper treatment. He would refer hon. Members to the case of a friend of his own, to show the necessity for some definite guarantee being given for the good treatment of prisoners. This friend was detained in Kilmainham Gaol for 19 months under the last Act. He was a tall, powerful, and healthy man; but he came out of prison a perfect wreck—broken in health and in mind. This state of health, he stated again and again, was the direct result of the repeated cold she experienced in prison. He made representations again and again to the prison authorities that he was insufficiently clothed, and that the cell was insufficiently warmed; but not the slightest notice was taken of his representations. The treatment of the prisoners was entirely in the hands of the Visiting Committee, who were magistrates and landlords, and they were not likely to look with a lenient eye upon persons suspected of agrarian offences. Therefore, no matter what their sufferings might be, or how unhealthy their cells might be, there were very small hopes indeed that any notice would be taken of any representations that might be made on the subject. For those reasons, having in view the many cases of cruelty that took place under the last Suspension of the Habeas Corpus Act, he would earnestly urge on the Chief Secretary to give some assurance that this Amendment, or something tantamount to it, would be inserted in the Bill.

Mr. JUSTIN M'CARTHY said, the case of harsh treatment mentioned by the hon. Gentleman who had just sat down showed conclusively that there was something more required than the vague assurance given by the Chief Secretary for Ireland. The treatment of the prisoners, no matter how humane his intention might be, would be entirely out of the hands of the right hon. Gentleman; and, therefore, he thought that the assurance should be embodied in the Act, so that it should become essential on the officials to take care that the thing was done, and that they should be open to statutable rebuke if they did not take care, in order to prevent a recurrence of the cruelties practised in Irish prisons under the last Coercion Act of 1867. He had the greatest respect for the new Rules; but he could not help pointing out that the great statesman Fox had declared that it was only by incessant repetition that the House of Commons could be impressed with the justice of any particular cause.

MR. O'SULLIVAN said, he had brought forward an Amendment similar to this in Committee; but it had been ruled out of Order. He considered it one of the most important Amendments on the Paper, and it certainly was the most humane. In 1866 and 1867 the prisoners then detained in gaol were only allowed one and a-half hours for exercise out of the 24, and the exercise, which consisted in walking round a ring in single file, was given in such a grudging and narrow spirit that it became almost useless. Then the prisoners were not allowed to associate with their fellow-prisoners. He knew an instance where two men, for asking the loan of a book from another prisoner, got 48 hours' confinement on bread and water. Such cruelties as that ought not to be repeated. There were many men at that time who went into prison in good health and strength, and who came out of it not only with the loss of their health, but with the loss of their mind, so cruel and exasperating was the treatment they received.

MR. T. D. SULLIVAN said, that a man would be confined for 22 out of the 24 hours in his cell, which was generally damp and ill-lighted, there being only a small window barred over. The bedclothes were generally damp, and this brought about rheumatism. All this showed the necessity for having the cells properly heated, next winter being likely to turn out as severe as the Arctic winter of this year. It was also necessary that sufficient time should be allowed for exercise, because most of the persons who would be arrested under the Act were young men of active habits, to whose healthy existence suitable exercise was indispensable.

MR. FINIGAN said, he did not ask for any express stipulations in favour of particular prisoners; but the powers of the Lord Lieutenant might be enlarged, so that the condition of prisoners should be ameliorated when circumstances permitted, and where discipline did not interfere. In 1866 the present Mr. Justice Lawson said, in that House, that untried prisoners ought not to be subjected to any undue or improper restrictions not necessary to their safe custody. He considered that prisoners arrested under the Act were entitled to more lenient treatment than untried prisoners, because there was a *primâ facie* case against the latter. He would refer hon. Members to an extract from a speech made by Dr. Robert M'Donnell at a meeting held in Dublin some time since, in which he strongly condemned the rigid discipline and complete isolation to which political prisoners were subjected in Mountjoy while awaiting trial. Dr. M'Donnell, who was the friend of the Government and the opponent of law breaking and disorder, characterized this as impolitic and unwise. He said the unnecessarily severe treatment of untried prisoners did great mischief, not alone by impairing their health, but, after the dismissal from prison, it stimulated the spread of disaffection throughout the land. He (Mr. Finigan) hoped, in order to prevent that, that the Government would agree to the Amendment, the object of which was to give the Lord Lieutenant power to interpret the Bill to the benefit of the prisoners. The objection of the Chief Secretary for Ireland to the Amendment was to be found in his promise to see that the prison rules were carried out in a modified form.

MR. DALY did not intend to occupy the time of the House for many minutes; but he wished to point out to the Chief Secretary for Ireland what was really the object of the proposed Amendment. The object was simply to secure to prisoners, who might be thrown into prison for a long period, such an amelioration of their condition as would tend to the preservation of their health and sanity. The Irish Members only asked the Government to give the persons arrested under the powers of the Bill such conditions as would relieve the tedium of their imprisonment, and prevent them losing their minds. After an untried prisoner had been in prison six weeks, he had either gained his liberty, or been convicted at the gaol delivery of Assizes. The case of a prisoner who might be thrown into prison under the Bill was, however, a totally different one, for a prisoner under the Bill might be kept in prison, without any offence being alleged against him, for a year and a-half. He asked whether it was not reasonable that the Irish Members should endeavour, even at the risk of repeating again and again the same arguments, to secure for their fellow-countrymen, who might be arrested under the Bill, that they should be kept in a state that would not be dangerous either to their bodily health or their mind.

Mr. METGE commented upon the hardship of the conditions of ordinary imprisonment to a man of education and intellectual activity, as many of those arrested under this Act would be. A case had been brought before them in which a man had died a horrible death from the insufficient ventilation of his cell, and the defects of the prison in which this occurred were still unremedied. Men had been driven to the verge of insanity under similar Acts, and it was the duty of Parliament to take care that such cases of cruelty did not occur again. He would not plead for any special immunity for persons who committed murder from behind hedges, and inflicted sufferings on dumb animals; but he believed that the majority of persons arrested under the Act would be men who would not be guilty of any crimes, and therefore he felt that the Irish Members should regard it as an absolute duty to repeat every argument they could as long as they hoped to obtain any redress.

Mr. SPEAKER: I must remind the hon. Member that the repetition of tedious arguments is against the Rule of the House on urgent Business.

Mr. METGE, resuming, quoted the opinions of Dr. M'Donnell in reference to the frightful torture inflicted on prisoners by the absence of air, and hoped the Government would do nothing to render such torture possible in the case of persons arrested under the Act.

Mr. BIGGAR said, he had not the privilege of hearing the speeches of some of his Friends, and therefore he was afraid he would repeat what had been said already. He could not conceive that the Government would refuse so vital an Amendment as that offered to the House now.

Question put.

The House *divided*:—Ayes 41; Noes 269: Majority 228.—(Div. List, No. 80.)

Mr. DAWSON moved, as an Amendment, in page 1, line 30, to the effect that the prison rules to be framed by the Lord Lieutenant of Ireland under the Act should be laid on the Table of the House within seven days from their being framed, instead of within 14, as provided by the Bill.

Amendment proposed,

In page 1, line 30, to leave out the word "fourteen," in order to insert the word "seven,"—(*Mr. Redmond*,)

—instead thereof.

Question proposed, "That the word 'fourteen' stand part of the Bill."

Mr. W. E. FORSTER said, he considered 14 days to be a very reasonable time for the purpose referred to.

Mr. FINIGAN observed, that it was hard to say what a reasonable time might be. He was astonished that the Chief Secretary for Ireland did not display more courtesy and policy in his replies. He should give a better reason for refusing to accede to the Amendment. They had heard no argument whatever in favour of the number of days mentioned in the Bill, and, for his part, he considered seven days to be more reasonable.

Mr. SEXTON thought the Amendment would be a decided improvement to the Bill. If the regulations were to be submitted to Parliament at all, they ought to be submitted in the shortest convenient period, and an interval of seven days would be quite ample.

Mr. BIGGAR held they should have the earliest opportunity of considering these rules. The Government in this, as in all other matters with respect to the Bill, were most unreasonable. They seemed determined to act contrary to the rules of reason and common sense.

Question put.

The House *divided*:—Ayes 276; Noes 36: Majority 240.—(Div. List, No. 81.)

Mr. SPEAKER: The next Amendment is in the name of the hon. Member for New Ross. His Amendment cannot be put, as it relates to the new prison rules. The House has now settled the provisions of the Bill with regard to those rules, and no Amendment relating to the subject can now be entertained.

Mr. DAWSON (for Mr. Healy) moved, as an Amendment, in page 1, line 32, at end of sub-section (2), and "when Parliament is not sitting such regulations shall be published in 'the Gazette.'"

Mr. W. E. FORSTER said, he would assent to the proposal if it was so framed as to let the Amendment read—

"And when Parliament is not sitting such regulations shall within fourteen days be published in the 'Dublin Gazette.'"

MR. DAWSON said, he would accept the proposal of the right hon. Gentleman.

Amendment *amended* accordingly, and *agreed to.*

MR. FINIGAN moved an Amendment in page 2, line 5, providing that the place where, and the hour when, the warrant was executed should be specified. He could not conceive that the Chief Secretary for Ireland could have any valid objection to the Amendment, inasmuch as it merely enabled the House to judge of the mode in which warrants were carried out. It was as well that the right hon. Gentleman's subordinates in Ireland, who, in the main, would carry out the warrants, should know that their conduct would be the subject of notice by the House of Commons, because that might have the effect of deterring them from arresting people at unseemly hours and places.

Amendment proposed,

In page 2, line 5, after the word "detained," to insert the words "and of the place where and the hour when the warrant was executed."—(*Mr.Finigan.*)

Question proposed, "That those words be there inserted."

MR. SEXTON said, if the Amendment were accepted, they would be able to be certain that no unnecessary domiciliary visits would be made at night, when families would be disturbed; that no unnecessary terror should be provoked, and that the House should have evidence that the arrests were executed by day. With regard to the place where the arrests were made, the right hon. Gentleman had made something like an engagement that the prisoners should be confined in the local prisons in certain cases, and that consideration should be given to the question whether a person should be confined in a local or central prison. He would like to have some means of checking to what extent the Government carried out that arrangement, and they would have a certain measure if the Amendment were adopted.

MR. W. E. FORSTER denied that he had ever made the engagement the hon. Member (Mr. Sexton) referred to, that persons should be confined in local prisons. If he had done so, he thought some objections would have been made to it; but he made no arrangement one way or the other. He simply said that the Government would consider the advantages of separate prisons for the better accommodation of prisoners. He could not agree to the Amendment. It was a mere matter of detail, and the arguments by which the suggestion was supported did not commend it to his mind. He thought the Executive ought to have full discretion as to the most convenient time and place for the arrest of suspected persons.

SIR JOSEPH M'KENNA thought there was little in the Amendment to which the Government could object, and hoped that in the interests of humanity these warrants would only be executed in the hours of daylight.

Question put.

The House *divided:*—Ayes 39; Noes 281: Majority 242.—(Div. List, No. 82.)

MR. HEALY moved in page 2, line 9, at the end of sub-section (3), words to the effect that the list of persons arrested to be laid every month before the House should show the date of the arrest, the period of detention, the residence of each person arrested, with the rateable value of his house, if a householder, and his profession or calling.

Amendment proposed,

In page 2, line 9, at end of sub-section (3), to add the words "such list shall show the date of arrest, the period of detention, the residence of each such person, with the rateable value of his house if a householder, and his profession or calling."—(*Mr Healy.*)

Question proposed, "That those words be there added."

MR. W. E. FORSTER said, he was unable to accept the whole of the Amendment, the principle of which already had been discussed in Committee.

MR. SEXTON remarked that the right hon. Gentleman was correct in saying that the subject had been already debated. His hon. Friend (Mr. Healy) had moved an Amendment in Committee, but the Government gave no answer to it. He (Mr. Sexton) therefore regarded the matter raised as virtually new ground. Numerous cases might arise, where poor persons were arrested and their families were cast upon public charity. The information asked for would afford the means of arriving at a conclusion as to the needs of the families of the arrested. He was exceedingly anxious that the Representatives of the people should have some method such as would be afforded by this information of checking the acts of the Boards of Guardians, of whom he professed some distrust.

Mr. LEAMY maintained Parliament had a right to know the condition of the people arrested for trying to overthrow the Queen's Government in Ireland, or for the other offences comprehended within the Bill. A mere nominal list, which did not state the position in life or the residence of the person arrested, would be absolutely valueless. He was also surprised at the Chief Secretary for Ireland not accepting the Amendment with regard to the period of detention. Suppose an arrest were made on the 8th of the month, the list containing that arrest would not be seen for a month afterwards. They had heard a great deal in the course of the discussion about certain disturbed districts, and they wanted to know whether the arrests took place in those districts or not?

Sir JOSEPH M'KENNA also supported the Amendment, being of opinion that the giving a list of surnames only, which were common in every district of Ireland, would be a mere mockery as a guarantee of the least respect for the liberty of the subject. For instance, in the case of arrest of John Ryan, there were hundreds of places where there were persons of that name. Therefore, taking that fact into consideration, he thought sufficient particulars should be given to enable the identity of each man arrested to be established.

Mr. JUSTIN M'CARTHY thought that if the list was not to be a mere sham, the residence and calling, at all events, of the individuals arrested should be given. If it did nothing else, it would afford the means of releasing innocent men from detention.

Mr. FINIGAN did not think that the right hon. Gentleman had adduced any good arguments againt the Amendment. Probably the Chief Secretary for Ireland was afraid to adopt it, in case it should turn out that the crimes were not committed by the so-called village ruffians, but by respectable shopkeepers and farmers. Such a Return might also prove that the opening statements of the right hon. Gentleman were unfounded. He therefore trusted that hon. Members would, in the interests of justice, insist upon a list being laid before the House which would show, not only the particular crime, but the social status of the person arrested. He did not believe that the Bill was only intended to prevent crime. He believed that it was intended as a measure of despotism for the cover of another still more hideous despotism.

Mr. DAWSON thought that some of those arrested might be, not village tyrants nor bloodthirsty ruffians, but "Cromwells, guiltless of their country's blood." He wished to point out that the Amendment might almost be regarded as the logical sequence of the concession which the Chief Secretary for Ireland had just made; and, therefore, he hoped the right hon. Gentleman would accede to it.

Mr. DALY, in supporting the Amendment, said, that while the operation of it would cause only a little trouble to Government officials, it would, on the other hand, give an additional chance to persons arrested under the Bill to prove their innocence. If some such provision as that was not introduced into the Bill, much confusion would be entailed in carrying it into operation. For instance, there were three John Dalys in the City of Cork, and suppose it was stated that John Daly, of such a street, was arrested, a friend at a distance would know which Daly it was; but if the particulars sought by this Amendment were placed opposite his name, his identity would be established at once, and his friend at a distance might be able to produce evidence which would prove him innocent, to the satisfaction of the Lord Lieutenant. Was there any reason why he should be deprived of the benefit of the evidence?

Mr. BARRY said, it would be simply impossible to identify anyone unless these particulars were given. He would remind the House that under the last Suspension of the Habeas Corpus Act one poor unfortunate fellow named Casey was detained in prison for three and a-half years, because, under the circumstances, no one could identify him.

MR. BIGGAR said, that in the County Cavan, where there were so many Bradys and O'Reillys, if particulars of this description were not given, the result would be that instead of the parties who were suspected by the Lord Lieutenant being put in gaol, a great many people would be imprisoned who were not suspected of any crime at all, but who happened to bear the same name as someone who was suspected. The same result would occur in the County Monaghan, where there were so many Mackennas and M'Mahons; and the County Fermanagh, where there was an endless number of Maguires. It was also most desirable that it should be known whether or not the person so arrested really lived in a proclaimed district or not.

MR. R. POWER also supported the Amendment, and showed the difficulty of identifying the large number of Powers that lived in his county, unless some such means as that proposed were adopted. The right hon. Gentleman ought to put the same construction upon a reasonable Amendment as he did upon a reasonable suspicion, and agree to this Amendment.

Question put,

The House *divided* :—Ayes 36; Noes 303: Majority 267.—(Div. List, No. 83.)

MR. W. E. FORSTER moved, as an Amendment, to insert in page 2, after sub-section (3), a new sub-section, the wording of which was in accordance with what he had stated in Committee he would do. The object of the sub-section was to secure that the arrest of any person under the Bill should be re-considered periodically—every three months.

Amendment proposed, in page 2, after sub-section (3), to insert a new sub-section—

(4.) On the expiration of a period of three months after the arrest of each person detained under this Act, and so from time to time on the expiration of each succeeding period of three months while such person is detained, the Lord Lieutenant shall consider the case of such person and decide thereon; and the decision of the Lord Lieutenant in that behalf shall be certified under his hand, or the hand of the Chief Secretary to the Lord Lieutenant, to each Clerk of the Crown, by whom a copy of the warrant under which such person shall be detained shall be filed in his public office, under this Act, and each such Clerk of the Crown shall record such decision by indorsement on the copy of the warrant so filed in his office.—(*Mr. William Edward Forster.*)

Question proposed, "That the new sub-section be there inserted."

MR. SEXTON said, the sub-section, so far as it went, would undoubtedly be an improvement to the Bill; but, unfortunately, it only went a small way. The investigation by the Lord Lieutenant would be merely formal, unless steps were taken to assure that the Lord Lieutenant should examine all the evidence properly relevant to the case. He, therefore, asked from the right hon. Gentleman some assurance that the prisoner and his legal representatives would be enabled to bring before the Lord Lieutenant evidence to show his innocence. He would suggest that after the words "decide thereon," the right right hon. Gentleman should insert—

"And each and every such person and his legal representative shall be enabled to bring facts and arguments before him."

Unless some such Amendment were made, the proposed review of an arrested person's case would be illusory.

MR. T. D. SULLIVAN did not think the Government could refuse the Amendment proposed by the hon. Member for Sligo. Unless the arrested person had an opportunity of proving his innocence, if he really was innocent, the inquiry into his case once every three months, as suggested by the Chief Secretary, would be a cruel mockery, that any Government should be ashamed to perpetuate.

MR. CALLAN thought the matter would be met by associating the Privy Council with the Lord Lieutenant in the investigations. He would, therefore, suggest the insertion of words in the sub-section providing that the Lord Lieutenant should act "by and with the advice of the Privy Council."

And it being a quarter of an hour before Six of the clock, further Consideration of the Bill, as amended, *deferred* till *To-morrow.*

VIVISECTION ABOLITION BILL.

On Motion of Sir EARDLEY WILMOT, Bill for the total abolition of Vivisection, *ordered* to be brought in by Sir EARDLEY WILMOT, Mr. SAMUEL MORLEY, and Mr. FIRTH.

Bill *presented*, and read the first time. [Bill 94.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 24th February, 1881.

MINUTES.]—PUBLIC BILL—*First Reading*—Local Taxation Returns (Scotland) * (37).

ARMY ORGANIZATION (LORD AIREY'S COMMITTEE).

MOTION FOR AN ADDRESS.

LORD STRATHNAIRN, who had given Notice of a Motion, in rising to move—

> "That an humble Address be presented to Her Majesty, praying Her Majesty that she will be graciously pleased to direct that the Report of the Committee on Army Organization over which Lord Airey presided may be presented to the House at an early day;"

said, he had intended to move this Resolution, but since placing it on the Paper he had been informed that he ought to have named a day. Afterwards, however, the War Office had intimated that it was no use naming a day, as the Report could not be presented to Parliament before the Secretary of State for War made his Statement on Monday night in introducing the Army Estimates in the House of Commons. The noble Earl (Earl Granville) informed him the other day that the Report would be laid on the Table on Tuesday. But even for that day, which was too late, he feared that they had a difficulty to contend with. War Office printers did not willingly print observations unfavourable to War Office policy. He spoke from experience. The tactics of the War Office had caused universal regret among those who considered that Parliament had a right to know War Office information respecting military organization on which they had been called to legislate, and on which they must be called again to legislate, as their Lordships would learn from extracts from a letter from Lord Airey of the 20th instant, communicating to him part of his Instructions, dated June 23, 1879, which the noble and gallant Lord then read to the House. He begged now to solicit their Lordships' attention to important facts. First of all, the Members of Lord Airey's Committee were nominated by the Commander-in-Chief, and they were of high standing and experience. Extracts from the Instructions proved that the Committee were not exclusively under the control of the War Office, but that the authority of the War Office was shared with that of the Commander-in-Chief; that the Committee was not a Departmental one but a Special one; and that a great part of its scope was to go into questions of a high order—that was, inquiry into military efficiency, discipline, and recruiting; and that it had to perform a grave State duty—to suggest a remedy for the practical defects which were found to have occurred in Lord Cardwell's Scheme. Therefore, the first excuse, that the Committee was a Departmental one, fell entirely to the ground. The second excuse was equally invalid. It was the French excuse—"*Qui s'excuse s'accuse.*" On a former occasion he explained that the short-service soldiers had been forced by the present system to undergo trials and hardships in war which the totality of the Medical Profession declared it was impossible that they could bear; that their *morale* must collapse with their physique; and that, therefore, the responsibility fell, not on them, but on the authors of the system. He had said enough to show the high scope of the State duties assigned to the Committee, showing that they belonged to the competency of Her Majesty's Government—of course, including the Secretary of State for War—and of Parliament, and were not of the individual competency of the Minister of War, and that, consequently, the Secretary of State for War was bound to submit them to Parliament as soon as he possibly could; for the short-service system was simply a law sanctioned and passed by both Houses of Parliament, and any alteration of that law must receive their assent. The Report was sent in to the War Office on the 8th of March, 1880, and had been a year in the exclusive possession of the Secretary of State for War, and yet the Secretary would be able to avail himself of any portion of the evidence given before the Commissioners before the whole of it with the Report was in the hands of their Lordships. In fact, their Lordships would only have it "a day after the fair." He begged to move the Resolution which stood in his name.

Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty that she will be graciously pleased to direct that the Report of the Committee on Army Organization over which Lord Airey presided may be presented to the House at an early day."—(*The Lord Strathnairn.*)

LORD DORCHESTER thought that if his noble and gallant Friend had been as well versed in the forensic art as in the art of war, he might have made out a formidable case in favour of the presentation of the Report. But when they were told that the Report was to be presented, willy-nilly, on Tuesday next, it was rather late to insist on its production four days before that time. A little more respect might have been shown to Parliament by presenting it before the present time. The public had a right to know, at the earliest opportunity, the condition the Army had been in during the past few years, and the success which had attended the new Scheme promulgated by one Party and supported by the other. The Committee, of which Lord Airey was the Chairman, had commenced sitting, he believed, in the month of June, 1879, and reported early last year. It had been described as a Departmental Committee; but he found, from opinions he had taken, that it was a Special Committee. No adequate reason existed for the Report being kept back from Parliament and the public, when every point that came before the Committee was known to every serjeant-major in the Service. He was guilty of no breach of Parliamentary decorum when he said that the highest military authorities did not object to the production of the Report. He did not know that more than one or two Members of the Committee objected to its production; and, as a matter of fact, he did not believe there was anything in it which could not be published at Charing Cross, and which was not known to the military *attachés* of the various Embassies. He himself had seen the Report a year ago, and he knew that a Member of Parliament who was not connected with the War Office, and who did not sit on either of the Front Benches, had the Report for some weeks in his house. He had been told, also, by a distinguished officer at a Club, of which several noble Lords and Members of the other House of Parliament were members, that he had seen the Report in Canada. *The Times* published a *resumé* of it months ago; and, in his pamphlet, General Lintorn Simmons, himself a Member of the Committee, referring to a leading article in *The Times*, said—

> "The writer of the article has an advantage over any non-official person like myself, inasmuch as he quotes from the Report of Lord Airey's Committee, which I cannot."

He trusted that at no distant date they would have a long and thorough discussion on the condition of the Army in their Lordships' House. He had seen the Army and knew what it was; and it was a matter of surprise to him that Her Majesty's soldiers were not blown from the transports on their passage to India, such slender little boys were they. He did not know how three or four officers, who passed most of their time, he believed, in comfortable arm-chairs at the War Office, could pit their opinions against those of his noble and gallant Friend (Lord Strathnairn). With the facts patent to everybody before him, he did not think any judge could arrive at the decision that short service should be continued. The Government ought to have given them the Report before the introduction of the Army Estimates, for to present it to them after was only rendering them *sagesse après coup*.

LORD AIREY said, he could not understand why the Report had not been produced, as the Committee had finished their labours on the 8th of March last. It embodied every description of evidence from the several Military Departments; but how the contents of the Report had transpired he did not know, and he could only suppose that they had leaked out from the War Office. It was incomprehensible to him that, as the Government had determined to lay the Report before Parliament, they should have decided on not presenting it till the Secretary of State for War made his Statement on the Army Estimates. The decision of the Government in this respect appeared to him to be a very unfortunate one.

THE EARL OF MORLEY expressed surprise at the Motion of the noble and gallant Lord, after the very distinct assurance which had been given him that the Report would be laid on their Lordships' Table at the beginning of next week, after the Secretary of State for

War had made his Statement on the condition of the Army. If the Motion were carried now it would not accelerate by one hour the production of the Report. The noble and gallant Lord (Lord Strathnairn), and the noble Lord behind him (Lord Dorchester), had complained of the tactics of the War Office; but he was not aware of there being any subtle tactics whatever. For himself, whenever the question had been raised, he had always returned the same, and a very distinct, answer, that the Report should be printed as soon as the Secretary of State for War had submitted his Statement as to the condition of the Army. It seemed to be assumed that the object of this Report would be defeated, unless it was produced before Tuesday next. He was not aware that it would be possible to have a discussion in this House before that date; and he was at a loss to know how the object of the Report could be defeated when their Lordships would, in the course of the Session, have many opportunities of discussing the suggestions of the Committee for the re-organization of the Army. There was no desire or wish on the part of the Secretary of State or the Government to conceal anything; but it would have been highly inconvenient that comments and criticisms should be made on the condition of the Army until the House had an opportunity of considering what proposals the Government were to make. It was impossible for him now to state how far he agreed or disagreed with the many attacks which had been made upon the present system by noble and gallant Lords on both sides of the House. The distinction between a "Special" and "Departmental" Committee which had been drawn seemed to him somewhat subtle—almost too subtle for him to analyze it. The noble and gallant Lord admitted that it was a Committee appointed to advise the Secretary of State for War. That being so, it was quite within the discretion of his right hon. Friend to determine whether or not the Report should be laid before Parliament. His right hon. Friend, wishing that nothing on the subject should be kept back from Parliament, had determined to produce it; but he submitted to their Lordships that the time of its production ought to be left to the discretion of his right hon. Friend. His noble Friend behind him (Lord Dorchester) said that he had already seen that Report. He was sorry to say that by some means, certainly not legitimate, matters contained in that Report had been prematurely published; but that was not the slightest argument for anticipating the intention of the Secretary of State. Of that opportunity of perusing the Report he had no doubt the noble Lord had made good use.

Lord DORCHESTER: I did not open the book, though it was offered to me. I felt I ought not.

The Earl of MORLEY thought the Motion was unnecessary, and he trusted the noble and gallant Lord would not press it.

The Duke of CAMBRIDGE: I think your Lordships will agree that it is impossible to discuss the matter brought forward as it is on the present occasion. We are in possession of neither the Report nor the Secretary of State's views, so that at this moment we have nothing before us. There is one thing I am anxious to say. This Army question is causing a great deal of sensation in the civil as well as in the military world, and it is really a question that requires the gravest consideration, But it is not a Party question; it is an Imperial question. I wish I could induce the country to look at the matter as entirely devoid of Party spirit. What does it matter to one Party or the other whether the long or short service prevails? What is wanted is that the country shall have a good Army, and the question is whether a better Army can be produced the one way or the other. It is not a Party question; but a matter for common sense and experience. I give no opinion as to which is right or wrong at this moment; and I put it to your Lordships that no solution should be attempted to be arrived at until the fullest information shall be placed in the possession of everybody, whether of this House, the other House, or, indeed, the public out-of-doors. Let the question be discussed, not on Party grounds, but on military grounds, and on its merits. Every man in this country wishes well to the Empire, and wishes to see a good and efficient Army; and if that can be obtained in one way better than in another, I am quite sure everybody would be quite disposed to give up their own theories and to accept those which common sense and experience lead us to believe would be the best. I do hope that no decision will be come to till the information contained in the Report has been thoroughly sifted, thoroughly appreciated, and is thoroughly understood; and then, after we once do come to a solution, I hope that decision will be adhered to, because anything worse than constant changes, and the doubts and uncertainty which exist, I cannot imagine.

THE DUKE OF RICHMOND AND GORDON: My Lords, I entirely concur with the remarks of the noble and illustrious Duke. The question is an Imperial question, and not a Party one; and, as far as I know, those sitting on the Opposition side of the House have never attempted to make it a Party question, but have always approached it with the view of making the Army as efficient as it could be made. Notwithstanding what has been said, it is not at all surprising that my noble and gallant Friend (Lord Strathnairn), holding the position he does in Her Majesty's Army—the highest position which a soldier can aspire to—and after the service which he has seen, and the manner in which he has performed that service, takes a very great interest in the question of the condition of the Army. I would advise him, however, not to press his Motion that the Report be presented at an earlier day than that on which we have been assured it will be presented—namely, Tuesday next, because it can hardly now be presented earlier. Anyone who has gone over the present condition of the Army, and the manner in which service-battalions are fed from this country, must be, I think, fully satisfied that there must be some alteration of the existing system. I speak in the presence of the illustrious Duke the Commander-in-Chief. He will correct me if I am wrong, when I say that at the present moment, to fill up the ranks of the battalions that are serving abroad, men are sent out who have not been dismissed drill. I ask whether we can expect a proper state of things to exist in India, or at the Cape, if the ranks are to be filled by men who have not yet been dismissed drill? I think we have a right to ask Her Majesty's Government, and the noble Earl who represents the War Department, that they will give an undertaking that there shall be no course adopted, either in this or the other House of Parliament, which shall in any way bind the country or the House to adopt any system or any mode of action which shall be contrary to the recommendations of the Committee over which Lord Airey presided, and until both Houses shall have had ample opportunity to thoroughly and fully discuss the Report and recommendations that are made in it. I think we have a right to demand from the Government that they will take no action in the matter until that Report has been fully and thoroughly discussed by both Houses of Parliament.

THE EARL OF MORLEY: I have already said that both Houses will have opportunities of discussing the Report in connection with the proposals of the Government in submitting the Estimates.

THE DUKE OF RICHMOND AND GORDON: It is useless giving us an opportunity for discussing the recommendations of the Committee if, by your action you have already taken some step which is entirely at variance with those recommendations. It is like locking the door after the steed has been stolen.

THE LORD CHANCELLOR: I cannot understand what the noble Duke means. It was the duty of Her Majesty's Government to consider this Report and to make up their minds as to the proposals which they should make to Parliament. Those proposals will be made known, in the proper place, on Monday next. In the meantime, does the noble Duke expect them to give an undertaking as to what they will or will not propose? Something they must propose, and then both Houses will have the fullest possible opportunities of considering and discussing the whole matter.

VISCOUNT CRANBROOK: That is to say, that the Estimates will not be pressed forward until both Houses shall have had an opportunity of making themselves fully acquainted with and discussing this Report, which is only to be laid on the Table when the Estimates are introduced. What my noble Friend means is, that we cannot be said to have had the fullest opportunity of considering and discussing the recommendations of the Committee if steps have previously been taken by the Government at variance with those recommendations. If the noble Lord says that we shall have that opportunity after we have become acquainted with the Report before any final discussion is taken, that is all that is desired.

The Earl of NORTHBROOK: I am afraid it would be impossible, under the circumstances of the case, to give any pledge that progress with the Estimates shall wait for any decision on the question, because that might not be consistent with the Public Service.

Lord ELLENBOROUGH: I hope that no Papers on the subject will be communicated to the newspapers before they are presented to Parliament.

In reply to Lord Penzance,

The Earl of MORLEY said, that the whole of the Report, as well as the Evidence, would be laid on the Table as soon as the Estimates were submitted.

Motion (by leave of the House) *withdrawn.*

LOCAL TAXATION RETURNS (SCOTLAND) BILL [H.L.]

A Bill to provide for an annual return of Rates, Taxes, Tolls, and Dues levied for local purposes in Scotland—Was *presented* by The Lord Ramsay; read 1ª. (No. 37.)

House adjourned at a quarter past Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 24th February, 1881.

MINUTES.] — Private Bills (*by Order*) — *Second Reading*—Potteries, Shrewsbury, and North Wales Railway *; Southwark and Deptford Tramways *.

Public Bill—*Considered as amended—Third Reading*—Protection of Person and Property (Ireland) [90], *debate adjourned.*

QUESTIONS.

AFGHANISTAN — ALLOWANCES AND PENSIONS.

Mr. PUGH asked the Secretary of State for India, Whether he can inform the House what are the amounts paid or payable out of the revenues of India to Yahoob Khan (Ex-Ameer of Afghanistan), Shere Ali (Ex-Wali of Kandahar), and to other natives of Afghanistan not in Her Majesty's Military Service, by way of pensions, allowances, or gratuities, in respect of services rendered or claims acquired in connection with the War in Afghanistan?

The Marquess of HARTINGTON: Yahoob Khan has no fixed allowance. The ex-Wali of Kandahar receives an allowance of 5,000 rupees a month for himself and family. From Returns which have been received from India, it appears that certain temporary provisional allowances are given to 10 distinguished Afghan refugees, who left Cabul with the British Army in August, 1880. The total amount of the grant is about 3,500 rupees a month. There are nine other Afghan dignitaries in India who receive an aggregate allowance of about 2,600 rupees a month.

RAILWAY COMPANIES—REPORTS AND RETURNS.

General Sir GEORGE BALFOUR asked the President of the Board of Trade, Whether the Government contemplate taking powers to cause the Railway Companies to supply statistical data of their operations, so as to make known to the public the actual cost of carriage of the various classes of merchandise, of minerals, and several classes of passengers—as is done on the Indian lines and on the Railways of New South Wales; and also show the actual or average rates for the various classes of merchandise, of minerals, and fares for passengers — distinguishing those for local from through or competitive traffic; whether it is in contemplation to alter and amend the Schedule to "The Regulation of Railways Act, 1868," so that the accounts of the Railway Companies may be presented to proprietors in a lucid and intelligible form, for the purposes of direct and comparative analysis; more especially that Form No. 4 (Capital Account) may contain fuller details and show more explicitly the expenditure under the several heads—Railway, Canal, Steamboat, &c.; that Form No. 9 (Revenue and Expenditure) may show specifically and in detail the whole earnings, from the several sources, including the earnings from lines owned, leased, and worked, and also the whole expenditure specifically and in detail, under the several heads, including the expenditure on lines, owned, leased, and worked; that Form No. 10 (Net Revenue Account) may specify all first charges, including the per-centage or amount of earnings of worked lines paid the owning Companies; and, whether the Railway Companies will be asked to furnish monthly to the Board of Trade a classified Return of [the tonnage of merchandise and of minerals carried, for public information as to the internal commerce of the Country, and as a counterpart to the monthly Trade and Navigation Returns now published?

MR. CHAMBERLAIN: My hon. and gallant Friend has put a series of Questions connected with the statistics of Railway Companies, which, if I should answer in detail, I should have to trespass too long on the time of the House. I hope, therefore, my hon. Friend will be satisfied with a general reply. As regards the first group of Questions, I have to say that the Government have already consented to the appointment of a Committee, on the Motion of my hon. Friend the Member for Banbury (Mr. B. Samuelson), to inquire into these matters, and that I cannot say that the Government are prepared to take any steps with regard to them till that Committee has reported. As regards the second group, I have to say that I believe that these reports give, as far as I am aware, all the information which is required for the public interest. If further information is required by the shareholders, they have the remedy in their own hands. As regards the last Question, I have to say that the Board of Trade have no power to ask for such a Return; and as far as I am advised at present, I do not see that any sufficient public advantage would result to justify the very large expense to which the Companies would be put.

CENTRAL ASIA — CORRESPONDENCE BETWEEN RUSSIA AND THE AMEER OF CABUL—UNAUTHORIZED PUBLICATION.

SIR GEORGE CAMPBELL (for Mr. BUXTON) asked the Secretary of State for India, Whether he has yet been able to discover the person who published in the "Standard" newspaper "the official Memoranda of an extremely confidential character," relating to Russian correspondence discovered at Cabul, or whether that person has, in accordance with the suggestion of the Secretary of State, yet come forward and stated the part he has taken in the transaction, in order to relieve a considerable number of persons from any suspicion upon their official discretion? The hon. Gentleman also asked whether the Cabul Correspondence was published in Calcutta long before it came to ths country; and whether it was published there officially, or had also been obtained surreptitiously?

THE MARQUESS OF HARTINGTON: In reply to the Question on the Paper, I have only to say that I am sorry to state that I have no more knowledge of the person who furnished the correspondence to *The Standard* than I have of the person mentioned in the Notice just given by my noble Friend the Member for Middlesex (Lord George Hamilton) who corresponds with *The Daily News.* I have not thought it necessary to institute any inquiry, and the person, whosoever he may be, who communicated these confidential documents to *The Standard* has not availed himself of my invitation to come forward and relieve other persons from what I still think a very unmerited stigma. In reply to the last part of the Question of my hon. Friend, I think I can explain the publication of these Papers in India. I received a telegram from the Viceroy to the effect that it was announced in India that the Cabul Correspondence was about to be published in England, and he asked whether there would be any objection to its being published in India also. I telegraphed back that it was quite true the Papers were about to be published, and that there would be no objection to the simultaneous publication in India.

LAW AND JUSTICE—SUPREME COURT OF JUDICATURE ACTS—EXTENSION OF ORDER XIV. RULE 1, TO ACTIONS FOR RECOVERY OF LAND.

MR. B. T. WILLIAMS asked the Attorney General, Whether his attention has been called to the suggestion made by the Incorporated Law Society to the Legal Procedure Committee now sitting, which in effect recommends that the summary procedure by Order XIV. Rule 1, should be extended to actions for the recovery of land; and, whether the Judges have the power, under the Judicature Acts, to pass rules which would enable the landlords of England

and Wales to evict their tenants, and to cause a forfeiture of their leases, by a summary process upon affidavits at Judges' Chambers, and without the verdict of a jury?

THE ATTORNEY GENERAL (Sir HENRY JAMES), in reply, said, he thought his hon. and learned Friend misunderstood the effect of the Order. Even if that Order could be extended to actions for the recovery of land, there could be no summary eviction in any case where the tenant could show any defence. He did not know what course might be taken by the Judges with regard to the passing of such Rules as those to which the Question referred; but if Rules were passed they would have to be laid on the Table of the House.

TURKEY IN ASIA—THE RECENT DISTURBANCE AT BEIRUT.

MR. WILLS asked the Under Secretary of State for Foreign Affairs, If he is in possession of any information as to the causes of the recent disturbances at Beirût which he can communicate to the House?

SIR CHARLES W. DILKE: No Reports have has yet been received from Her Majesty's Consul General on the subject of disturbances at Beirût; but there will be no objection to communicate to the House any information that may be received.

SUPREME COURT OF JUDICATURE ACT, 1873—SECTION 30—SITTINGS IN LONDON AND MIDDLESEX.

MR. H. H. FOWLER asked Mr. Attorney General, Whether, upon the Order in Council for consolidating the Common Law Divisions of the High Court of Justice coming into operation, arrangements will be made for complying with the 30th section of "The Judicature Act, 1873," which requires continuous sittings for the trial of causes in London and Middlesex; and, if he could state how many judges will sit for the trial of causes in London and Middlesex after the expiration of the Winter Assize and before the commencement of the Easter Vacation?

THE ATTORNEY GENERAL (Sir HENRY JAMES), in reply, said, that since receiving Notice of the Question he had communicated with the Lord Chancellor and also with Lord Coleridge on the subject, and that he had their authority for saying that they fully appreciated the necessity, in the interest of the public, of having continuous sittings for Middlesex and London, and every effort would be made to promote that object. He was not certain as to the exact number of Judges who would sit; but he believed that six would be sitting for some time.

TUNIS—RUMOURED FRENCH PROTECTORATE—THE ENFIDA CASE.

SIR H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether any information has been received by Her Majesty's Government confirming a report that M. Rousten, the French Diplomatic Agent at Tunis, has proposed or suggested to the Bey the establishment of a French Protectorate over that Regency; and, if so, whether any communications have passed on the subject between Her Majesty's Government and that of France? The hon. Baronet also asked, Whether the Foreign Office is in possession of affidavits by the parties assaulted at Enfida, corroborated by others, to the effect that they were assaulted and ejected by the officers of the French Consulate General; whether these affidavits, and any reports from Her Majesty's Consul General at Tunis on the subject, can be laid upon the Table; whether, if such documents confirm the version that the assault was committed by the French Consular officers, Her Majesty's Government will make a representation on the subject to the Government of France; and, whether the affidavits and the report of the Consul General can be laid upon the Table?

MR. MONTAGUE GUEST asked the Under Secretary of State for Foreign Affairs, Whether he was aware that a telegram had been received in London, from the Correspondent of *The Standard* at Tunis, who stated that the Bey had asked him to make it known that he did not desire the protection of one State more than another, but wished to maintain friendly relations with all?

SIR CHARLES W. DILKE: With regard to the Question that has just been put to me by my hon. Friend, of course the proper mode of communicating with Her Majesty's Government is to communicate directly. The Bey has certainly not done so at present; and I can give no further information upon the subject of the telegram which appears in *The Standard* of this morning. In reply to the first of the other Questions, considering the diplomatic experience of my hon. Friend, I think that he will hardly expect that I should answer his Questions, which refer to matters which are still pending, in much detail. We have heard of a conversation between the Bey of Tunis and M. Rousten; but there is no Correspondence with regard to it which can be laid before the House. In reply to the second Question of my hon. Friend, Her Majesty's Government are in possession of the documents referred to. I have already stated that the French Government have denied that the officials of the Consulate took part in any assault. The Correspondence upon the subject will be laid before the House; but cannot, of course, be placed in its possession at the present stage of the question.

SOUTH AFRICA—THE TRANSVAAL (MILITARY OPERATIONS)—REINFORCEMENTS.

MAJOR O'BEIRNE asked the Secretary of State for War, Whether the following statement, under the heading of "Military Intelligence," in the "Times" of the 21st, is correct:—

> "The under-mentioned drafts embarked on Saturday in steamship 'Lapland' for conveyance to Natal: a draft of eighty non-commissioned officers and men of the 2nd Battalion 21st Fusiliers from the depôt at Ayr. The draft for the 21st was composed chiefly of striplings under twenty years of age; some of these are said to be only six weeks in the Army;"

and, if this statement is correct, how many men out of the draft of eighty had been only six weeks in the Army, and how many under twenty years of age?

COLONEL ALEXANDER asked the Secretary of State for War, Whether his attention has been called to the following description in the "Times" of the 21st instant, of the Draft of the 21st Royal Scots Fusiliers, which has just embarked for the Transvaal:—

> "The Draft for the 21st was composed principally of striplings, apparently under twenty years of age, and some of these were said to have been only six weeks in the Army. Even the Non-Commissioned Officers were youthful. The Depôt at Ayr is exhausted by this Draft, and the Regiment is open for two hundred volunteers;"

and, whether, assuming the above description to be correct, he would not rather send to the Second Battalion in South Africa seasoned soldiers from the First Battalion in India instead of immature lads from the Depôt at Ayr?

MR. CHILDERS: In reply to my hon. and gallant Friend, and also to the hon. and gallant Member for Ayrshire, who asks me a Question on the same subject, I have to state that of the 80 men who embarked on Saturday last to join the 2nd Battalion of the Royal Scots Fusiliers in Natal only 23 were under 20 years of age, the average age of the draft being over 22 years. No men had served only six weeks in the Army. Perhaps I may be allowed to read the Report of Colonel Blundell, the Assistant Adjutant General, on this draft—

> "With reference to the conversation I had with you yesterday, I have the honour to repeat that the drafts which embarked on board the *Lapland* did so in excellent order. I was especially struck with the steadiness and regularity of all the drafts, that of the 2nd Battalion 21st among the rest, about which I had the honour to remark that I was satisfied it would be a credit to any corps, and would do well. I did not notice anything special to remark about the physique or age of this draft."

I see no occasion for sending a draft to the 2nd Battalion from the 1st Battalion in India.

RELIEF OF DISTRESS (IRELAND) — STATE OF THE COUNTY OF MAYO.

MR. A. MOORE asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been drawn to the resolutions of the deanery of Castlebar with respect to distress prevailing in that district; and what steps have been taken by the Local Government Board in the matter?

MR. W. E. FORSTER, in reply, said, that the priests who assembled at the Deanery sent copies of resolutions passed by them to the Local Government Board. They referred to the distress existing, and were carefully considered by the Board; but he had to inform the hon. Gentleman and the House that the distress was not now so severe as it was two weeks ago. He was informed by the Inspector of the Board that many of the able-bodied men in the Union were proceeding to England. The Guardians of Castlebar Union had an Order in force authorizing them to grant relief under the 3rd section of the Relief Act; but they had not thought it necessary to give relief under that Order up to the present.

THE EMPLOYERS' LIABILITY ACT, 1880.

Lord RENDLESHAM asked the President of the Local Government Board, Whether male attendants in lunatic asylums would come under the regulations of "The Employers' Liability Act, 1880," as being engaged in dangerous occupations?

Mr. DODSON, in reply, said, that neither male attendants in lunatic asylums, nor any other persons, would come under the regulations of the Act as being engaged in dangerous occupations, inasmuch as there was no such condition laid down in the Act. Whether these persons came within the definition of the persons to whom the Act applied was a matter of legal construction, which might have to be judicially decided hereafter. As at present advised, he believed they would not come within the terms of the Act.

NAVY — FISHERIES ON THE EAST COAST—EMPLOYMENT OF A GUNBOAT.

Colonel BARNE asked the Secretary to the Admiralty, Whether he is aware that upwards of 200 boats and 1,800 men will be fishing off Lowestoft and Yarmouth in the beginning of March; that each boat with its nets represents a capital of about £1,500, in which each of these men have shares; that unless protected by armed vessels, the nets of these men will probably suffer great damage by the use of the scythe-bladed grapnel by foreign fishermen; and, whether he will reconsider his determination of sending no Government vessel until July, and will send one or more in the beginning of March?

Mr. TREVELYAN: His Royal Highness the Admiral Superintendent of Naval Reserves has telegraphed to the stations on the East Coast and ascertained that boats to the number of 200 will be fishing off Lowestoft and Yarmouth early next month. The *Rose* has accordingly received orders to be on the ground as soon as the fishing commences, with a crew from the Coastguard. The Admiralty are always glad of an opportunity of giving their seamen a cruise in a sailing vessel.

SOUTH AFRICA—THE BASUTO WAR—DESTRUCTION OF PRIVATE PROPERTY BY COLONIAL FORCES.

Sir GEORGE CAMPBELL asked the Under Secretary of State for the Colonies, With reference to official reports showing that the Colonial authorities, and the officers of Her Majesty's Army commanding their troops, carry on the Basuto War by the systematic plunder and destruction of private property, and especially to the last telegram from the British Governor, in which it is stated that Colonel Carington is encamped at Bolcka "destroying large quantities of crops around," even at the time when an armistice was agreed on, and was about to commence, Her Majesty's Government will express approval of that course, and whether they will permit British officers to take part in it?

Mr. GRANT DUFF: Her Majesty's Government cannot be responsible for the details of military operations conducted by officers acting under the Colonial Government, and responsible to it. Any unnecessary destruction of property would be, of course, quite unjustifiable and a matter for deep regret.

Sir GEORGE CAMPBELL: May I ask the right hon. Gentleman to answer my Question, Whether Her Majesty's Government will or will not permit British officers to take part in those operations?

Mr. GRANT DUFF: I endeavoured to convey to the mind of my hon. Friend that Her Majesty's Government was in no way whatever responsible for these proceedings, and that it expresses neither approval nor disapproval of them.

IRELAND—GRANTS FROM THE CONSOLIDATED FUND AND VOTES OF PARLIAMENT—THE RETURNS.

Mr. LOWTHER asked the Chief Secretary to the Lord Lieutenant of Ireland, When a Return (ordered on the 12th of February 1880) will be given to the House of all moneys charged on the Consolidated Fund or voted by Parliament, or advanced out of the Consolidated or Public Revenues since the Union, to or for the benefit of Ireland, distinguishing what sums have been given and what sums lent, and how much of the money lent has been repaid and how much forgiven, and what remains due?

LORD FREDERICK CAVENDISH: As the Return alluded to comprises not only all moneys charged on or advanced from the Consolidated Fund, but also all grants of Parliament for the benefit of Ireland, the hon. Member will understand the great difficulty of completing it so as to present results of any real value. Much time and labour have already been expended upon it; and I can only say that the Treasury are using their best endeavours to collect the necessary statistics.

AFRICA (WEST COAST)—THREATENED WAR WITH ASHANTEE.

MR. STORY-MASKELYNE asked the Under Secretary of State for the Colonies, Whether Her Majesty's Government has taken adequate steps for the protection from Ashanti attack of the important mining establishments in the neighbourhood of the Anacobra River, in which a large amount of English and French capital is embarked?

MR. GRANT DUFF: These mines are, as my hon. Friend is aware, far inland, and the Company to which they belong was warned in the most distinct manner by the late Secretary of State that Her Majesty's Government could assume no responsibility for the protection of its interests or of the persons employed in its service. The small force which we have on the Gold Coast may, if war breaks out, be fully employed elsewhere. With regard to the probability of war breaking out, I may take this opportunity of replying to a Question of which private Notice has been given me by the right hon. Gentleman opposite (Sir Michael Hicks-Beach). The latest news which I have seen from the Gold Coast came not to us, but to the Admiralty, and is dated the 10th of February. Matters were then precisely *in statu quo*, so that the probability of war breaking out had not increased.

H.M.S. "CHALLENGER"—PUBLICATION OF THE REPORT.

MR. COBBOLD asked the Secretary to the Treasury, Whether the Government will consider the expediency of providing copies of the Official Report of the Surveying Voyage of H.M.S. "Challenger," as mentioned in the Report of the Controller of the Stationary Office, to such museums, libraries, and institutions as are supported by borough and other rates, and thus allow many who would otherwise be precluded to share in the advantages of the "advancement of science" obtained by the expenditure of public money?

LORD FREDERICK CAVENDISH: The question of the gratuitous distribution of the Report of the *Challenger* expedition was most carefully considered by the Treasury when the arrangements for the printing and publication of that Report were made in the year 1878. The Report will comprise not less than 15 volumes; and the cost of the whole work, including paper, printing, engraving, and agency for sale, but not authorship or editing, will not be less than £30 per copy. Applications for copies of the Report, free of charge, are incessantly being made from every variety of Institution throughout the United Kingdom; and if the determination to restrict the gift of the Report to Institutions of a national character were to be abandoned, the difficulty of drawing a line between those Institutions which should be presented with the Report and those which should not would be almost insuperable, and the expenditure involved would be very large.

FIRES (METROPOLIS).

MR. M'LAGAN asked the Secretary of State for the Home Department, Whether he intends to take any steps soon to have an inquiry into the origin and causes of fires immediately after their occurrence?

SIR WILLIAM HARCOURT: I am not quite sure that I understand the purport of my hon. Friend's Question. As I understand, when an ordinary fire takes place the officers of the Fire Brigade report upon the circumstances, and the insurance companies have a clear interest in investigating the matter, and, if necessary, they have the assistance of the police. But if my hon. Friend refers to the Bills which, I think, he has promoted on former occasions, that there should be in the case of all fires a judicial investigation at the public charge placed upon the rates, that is not a scheme which, at the present moment, Her Majesty's Government are willing to propose.

STATE OF IRELAND—ALLEGED OUTRAGE AT BEGGAR'S BUSH BARRACKS.

The O'DONOGHUE (for Mr. GRAY) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Lieutenant Stephens, who reported the recent alleged attempt to blow up Beggars Bush Barracks, Dublin, with dynamite, purchased some dynamite detonating caps and fuse at Galway a few days previously; whether this Mr. Stephens is in Her Majesty's Service; and, whether the reported outrage was a reality or not?

MR. W. E. FORSTER: I am informed by the Dublin Metropolitan Police that Lieutenant Stephens is not now in Her Majesty's Service. He formerly held a commission in the Royal Dublin City Militia, but he resigned it last year. I have no information as to whether he bought dynamite, detonating caps, and fuses previous to coming to Dublin from Galway. The Dublin Metropolitan Police, however, inform me that they are of opinion that the attempt to blow up Beggar's Bush Barracks existed only in Mr. Stephens' imagination.

OXFORD AND CAMBRIDGE EXAMINATIONS.

MR. THOROLD ROGERS asked the Secretary of State for the Home Department, Whether his attention has been called to the fact that the two Universities of Oxford and Cambridge have undertaken for some time past the duty of examining and reporting on endowed public schools, on the application of such schools, and that the action of the Universities has had the most salutary effect on such schools as have come under examination and inspection; and, whether he has considered the expediency of providing that, in any future legislation as regards endowed schools, a clause should be inserted constraining the authorities of such schools to submit to the examinations which are conducted by the Universities, at once in the interests of the schools, the children educated at them, and the parents of such children, and that, as far as possible, these voluntary examinations should be made compulsory?

SIR WILLIAM HARCOURT: So far as the first part of my hon. Friend's Question goes, I entirely agree with him that the action of the Universities has had a most salutary effect upon such schools as have come under examination and inspection; and I believe that the schools and the managers are of that opinion, and that they are every year more and more using the machinery which the Universities have placed at their disposal. But as to the second part of my hon. Friend's Question, whether Her Majesty's Government are prepared to make that example compulsory in all endowed schools, without consideration of the character of those schools—whether they are of a humbler or a higher character—all I can say is that at present Her Majesty's Government have not come to that conclusion.

STATE OF IRELAND—EVICTIONS (CO. ARMAGH).

MR. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, If the statement in the "St. James's Gazette" and other papers on Saturday the 19th February is true—namely, that

> "Several evictions took place yesterday on the estate of Mr. McGeough, J.P. near Newtownhamilton, county Armagh. The sheriff was attended by his bailiffs, and the decrees were enforced under the protection of fifty policemen. Many painful scenes were witnessed; children and aged persons, some of the latter being in very delicate health, were cast out on the road side. The peasantry gathered in large numbers; some of the women threw stones at the bailiffs, and invoked curses on the landlord; but the police behaved with forbearance and kindness, supplying with money the most destitute of those who were evicted;"

and, if the statement is true, whether he can give the House any information as to what has been done to relieve the poor people who have been thus left destitute by process of Law?

MR. W. E. FORSTER, in reply, said, that he would give the House all the information he had received with regard to these evictions. It seemed that four distinct families were evicted from two houses, and a force of 50 constabulary were present on the occasion. They were evicted for non-payment of rent due for two years and two-and-a-half years. Two or three hundred people assembled at the eviction, having been called together by horns blown on the neighbouring hills, and there was very considerable excitement. The police were not in any way interfered with; but the landlord and the agent were freely abused — [Mr. Healy: Hear, hear!]—and although arrangements had been made by the relieving officers of the district for the reception of the evicted families in the workhouse, they were provided with lodgings at once by their friends.

ITALIAN CURRENCY.

Mr. W. FOWLER asked the Under Secretary of State for Foreign Affairs, Whether, having regard to the proposed resumption of specie payments by Italy, and the bearing of that proposal on the important question of the use of silver as money, he would be willing to lay upon the Table any despatches received by our Government in relation thereto, together with the pamphlet of the Italian Ministers S.S. Magliani and Miceli, and any other papers illustrative of the same subject?

Sir CHARLES W. DILKE: Reports with regard to the proposed resumption of specie payments in Italy have been received from Her Majesty's Ambassador at Rome, and will be laid on the Table of the House. The pamphlet to which my hon. Friend refers has not been received; but inquiry will be made respecting it.

THE RAILWAY COMMISSIONERS—LEGISLATION.

Mr. R. BIDDULPH MARTIN asked the President of the Board of Trade, If his attention has been directed to the valuable testimony given by the Chairman of the London and North Western Railway Company at the recent half-yearly meeting of that Company, to the efficiency of the Railway Commissioners in looking after the interests of the public; and, whether it is his intention to promote or support legislation with the view of conferring larger powers on the Commissioners especially in the direction of the promotion of the comfort and convenience of the public travelling by Railway?

Mr. CHAMBERLAIN: I have referred to the report in *The Times* of a speech which was made at the recent half-yearly meeting of the London and North-Western Railway Company, by the Chairman of that Company, and I find there that Mr. Moon said—

> "They had the Railway Commissioners, a standing monument of the repudiation of national engagements by the Parliament of this country. It was an irregular court without any principle, with powers over their rates which the highest authorities said was equivalent to confiscation, and they were a standing menace to this great property."

I do not know whether that is the language to which my hon. Friend refers, and which he speaks of as valuable testimony to the efficiency of the Railway Commissioners in looking after the interests of the public. With respect to the second Question, I have to say that the powers of the Railway Commissioners expire on the 31st December, 1882, and at the end of that time it will be necessary to resort to fresh legislation on the subject. In the meantime, the matter has my very serious consideration.

PUBLIC HEALTH—MORTALITY AT ASHTON-UNDER-LYNE.

Mr. HUGH MASON asked the Secretary to the Local Government Board, Whether the Board's attention has been drawn to the statement in the Registrar General's Quarterly Returns respecting the very high mortality recently in Ashton under Lyne; and, whether he will direct a medical inquiry by the Local Government Board into the causes of such high mortality?

Mr. HIBBERT: The attention of the Local Government Board has been drawn to the high mortality in the borough of Ashton-under-Lyne, and in November last the Board wrote to the Town Council of that borough referring to the fatal prevalence of diarrhœa, and asking what the Medical Officer of Health had been able to discover about the cause of it; but no reply has yet been received to that letter. The Local Government Board propose to direct an inquiry by one of their Medical Inspectors into the cause of the high death-rate of the borough.

LAW AND JUSTICE—THE MAGISTRACY—POLICE CASE AT GREENOCK.

Mr. MACDONALD asked the Secretary of State for the Home Department, If his attention has been called to a case tried before the Police or Burgh Magistrates' Court, Greenock, on the 21st instant, in which a woman was convicted of being drunk and disorderly on the night of the 19th, and was ordered to pay a fine or go to prison for five days; whether it be true that two policemen swore to her being the guilty person; also, that the Law officers produced copies of two previous convictions against her; whether it was afterwards found that the wrong person had been tried and convicted, and had to be discharged, and the really guilty party tried; whether, for the better protection of the public against such acts, he will order the policemen and the Law officers to be put on their trial for perjury by the Public Prosecutor; and, if it be in conformity with Law, he will order the suspension of the magistrate from the exercise of magisterial duties, and the assessor from being the adviser of the court?

Sir WILLIAM HARCOURT: I must point out to the hon. Member and to the House that this is a Question I cannot, by any possibility, be expected to answer. What the hon. Member asks me is with reference to a transaction which took place at Greenock on the 21st instant, and of which Notice was only given by the hon. Member last night. The hon. Member asks whether I am prepared to

> "Order the policemen and the Law officers to be put on their trial for perjury by the Public Prosecutor, and whether I will order the suspension of the magistrate from the exercise of magisterial duties, and the assessor from being the adviser of the court?"

I neither have, nor could by any possibility have, seen an account of the transaction as to which I am asked to take such extreme measures. I would point out to hon. Members and to the House that, when Questions of this kind are asked, several days' Notice should be given to a Minister, in order that he may make inquiry into the matter. A letter will be written to-day from the Home Office to Greenock in reference to this case; in the course of a day or two an answer will be received; and in a reasonable time consideration will be given as to what is to be done in reference to it. It is unreasonable for the hon. Member to place the Notice on the Paper one day and to ask the Question on the next.

CRIMINAL LAW—ALLEGED RICK-BURNING AT CHARD.

Mr. A. M. SULLIVAN asked the Secretary of State for the Home Department, If there is any foundation for the following telegram in the London papers of the 22nd instant:—

> "Another case of incendiarism—making the third within the past few months—was reported at Chard this morning. Several corn stacks belonging to a farmer named Chapman, were, last evening, fired and entirely destroyed. Notwithstanding a reward of £25 offered by the police authorities, no clue has been obtained as to the guilty parties. Later in the night a stall containing five cows, the property of a farmer who suffered in a recent incendiary fire, was set on fire, and the ricks near were saturated with oil;"

and, whether any one has been brought to justice or arrested for these crimes of incendiarism on reasonable suspicion or otherwise?

Sir WILLIAM HARCOURT: I am afraid I must make the same objection to this Question as to the last. This circumstance is said to have been reported by telegraph in the London papers of the 22nd instant—the day before yesterday. It is a case of which I have no knowledge whatever, and of which I never heard until the Question appeared in print this morning. Surely, the hon. and learned Member cannot now expect me to give him any information respecting it.

CUSTOMS REVENUE—THE TOBACCO DUTIES.

Mr. WILLS asked the hon. Member for Portsmouth, Whether he had any objection to postpone the Motion, which stood in the Order Book in his name, to move to-morrow for the appointment of a Select Committee to inquire into the duties affecting tobacco? He hoped the hon. Member would do so, partly because of the regretted absence from the House of the Chancellor of the Exchequer, and partly because a large meeting of persons interested in the trade was to be held next month.

Sir H. DRUMMOND WOLFF said, that, in the absence of the Prime Minister, which they must all regret, and for the other reason stated by the hon. Gentleman, he would endeavour to get a later day for his Motion.

SOUTH AFRICA—THE BASUTO WAR (NEGOTIATIONS).

Mr. CROPPER said, he desired to put a Question to the right hon. Gentleman the Under Secretary of State for the

Colonies, of which he had given him private Notice—namely, Whether he could inform the House of the present sttae of the negotiations between the authorities of the Cape Colony and the Basutos; and, whether there was a prospect of the renewal of the armistice which would terminate to-morrow?

Mr. GRANT DUFF: An answer was received from Lerothodi and others, which was not satisfactory to the Cape Ministry. It sent, in reply, certain terms, requiring agreement to them within 24 hours. We do not yet know the result.

CRIME (IRELAND) — MEETING AT DONNECLONEY — SPEECH OF REV. MR. KANE.

Mr. A. M. SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, since his letter of October last, promising to deal with the case of the Rev. Mr. Kane, rector of Drumlish, who at a public meeting exhorted the people to break the law, he has taken any and what steps to fulfil that promise? In order to identify the individual represented in the Question, I beg to explain that I allude to the Rev. Mr. Kane, whose language in exhorting the people to organize assassination clubs to murder innocent persons in cold blood was brought under the notice of Parliament last year.

Mr. W. E. FORSTER: I have sent to Dublin for papers on the subject, and until I get them I shall be unable to answer the Question.

THE MAGISTRACY (IRELAND)— REFUSAL OF BAIL.

Mr. T. P. O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to statements in the Irish Press to the effect that a large number of magistrates in Ireland are in the habit of refusing bail in bailable cases; and if not, whether he will inquire into the accuracy of that statement, and take means to prevent the practice should the statement prove to be well founded?

Mr. W. E. FORSTER: I will answer the Question if the hon. Member will specify particular cases in the paper; but I cannot be expected to answer a vague and general statement sent to newspapers, and applying to magistrates all over Ireland.

Mr. T. P. O'CONNOR: I will repeat the Question in a more specific form on Monday,

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PARLIAMENT—BUSINESS OF THE HOUSE.

MINISTERIAL STATEMENT.

The Marquess of HARTINGTON: The House is aware that my right hon. Friend the First Lord of the Treasury promised on Tuesday last to make a statement to-day with reference to the progress of Public Business. My right hon. Friend is unable to be in his place to-day, owing to the effects of an accident, which, although it will probably confine him to his room for two or three days, is, I am happy to say, not of a serious character. I hope, and believe, that my right hon. Friend will be able to be in his place on Monday, and that he will then make the promised statement to the House. In these circumstances, I hope the House will not ask us, in the absence of my right hon. Friend—and I have not been able even to see him to-day—to make an incomplete statement, as he will himself be able, I trust, to make it in a complete form on Monday. I think, however, it will be for the convenience of the House that I should say this much—that we have arrived at a period of the Session when the necessity for making some progress in the Business of Supply has become so indispensable that it is desirable to ask the House to go into Committee of Supply on Monday, when my right hon. Friend the Secretary of State for War will move the Army Estimates. And I wish, in consideration of the great importance and interest in the Statement which my right hon. Friend has to make, to express the hope that he will be allowed on that occasion to go into Committee and to make the Statement which he has to make.

Sir STAFFORD NORTHCOTE: I am sorry to trouble the noble Lord with a Question, especially under the circumstance, which we must all deeply regret, of the accident which keeps the Prime Minister from the House. I understood from the opening observation of the noble Lord that he did not propose to make any statement. But he has made one, as to which I will ask a Question.

The noble Lord says that on Monday the Government will ask us to go into Committee of Supply on the Army Estimates. I wish to ask whether the noble Lord's attention has been directed to the Order of January 25, which is to the effect that the introduction and several stages of the Protection of Person and Property (Ireland) Bill, and the Peace Preservation (Ireland) Bill, shall have precedence of all Orders of the Day and Notices of Motion until the House shall otherwise order? I apprehend that under that Order it would be necessary to make some distinct Motion to set it aside with the view of taking other Business. I should be glad to know whether the Government intend to make any such Motion at such a time as would admit of its being discussed? I should also like to ask another Question. Notice has been given by the Prime Minister that he will, to-morrow, at half-past 4, make a Motion that has been made on more than one occasion—namely, that when Committee of Supply stands for Monday, except for certain purposes, the Speaker shall immediately leave the Chair. I wish to know whether it is intended to take that Notice to-morrow, because two years ago when I moved it it led to a three nights' debate.

The Marquess of HARTINGTON: The point which has been raised by the right hon. Gentleman as to the Resolution passed by the House last month would, no doubt, have been one of the subjects to which my right hon. Friend would have referred had he made his statement to-day; and I hope that in his absence the House will excuse me if I do not now make any further remarks upon it. I trust, at all events, to be able to see my right hon. Friend to-morrow, and, if necessary, to give a Notice on the subject. Perhaps, therefore, the House will allow me to postpone the matter till to-morrow. The Notice with regard to Committee of Supply has been put down in the name of my right hon. Friend by mistake; the Motion was intended to be moved by my noble Relative the Secretary to the Treasury; but I think it would be more convenient that the Motion should not be made to-morrow.

Mr. HEALY: I beg to ask the noble Lord whether he will also postpone the Notice standing in the name of the Prime Minister to move—

"That, upon the Consideration of the Protection of Person and Property (Ireland) Bill, as amended this day, at 7 o'clock, any Amendments then standing upon the Notice Paper be put forthwith?"

The Marquess of HARTINGTON: I am not prepared to postpone that Motion. With the permission of the House, when called upon by Mr. Speaker, I wish to move it.

Mr. A. M. SULLIVAN wished, in consequence of the noble Lord's answer, to ask a Question—namely, Whether a Motion, of which Notice had been given by the Premier, could be moved by anyone else in his absence? He submitted that, as in any matter of criminal procedure, the Rules were very strictly applied, so that in any Rule restrictive of the ancient forms of deliberation in that House the utmost strictness should be observed; and, therefore, the Motion in the name of the Premier could not be moved by anyone but the Leader of the House. The right hon. Gentleman not being present, the Leadership of the House was a matter as to which the House had no cognizance. ["Oh, oh!"] There might, of course, be a Leader of the House for the time being; but the House could not recognize private understandings between right hon. Gentlemen on the Treasury Bench, and the Leadership was not necessarily associated with the India Office. He, therefore, wished to know whether the Speaker was not bound to call upon the Premier, in whose name the Notice stood? And he submitted that if anyone else rose to move the Motion in his absence, as Leader of the House, the House must have some means of knowing how he became Leader of the House.

Mr. CALLAN said, he desired to put a similar Question, but for a different reason to that advanced by the hon. and learned Member. His ground was a ruling given by the Speaker yesterday. When an Amendment to this, but which stood in the name of the hon. Member for the City of Cork, was attempted to be moved by another hon. Member, the Speaker ruled that the hon. Member for Cork should have been in his place, and that no other Member was entitled to be substituted for him.

Mr. SPEAKER: The Motion of which the Prime Minister has given Notice is a Motion relating to the order of the

Business of this House. As the House is aware, Motions of that character are almost invariably made by the Leader of the House, on behalf of the House, to regulate the order of Business. I consider that in the absence of the Leader of the House it would be competent for any Minister of the Crown to make that Motion, and more particularly because the Rule to which this Motion refers expressly states that a Minister of the Crown is the person by whom the Motion should be made.

MOTION.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL—VOTE OF URGENCY.—RESOLUTION.

Motion made, and Question put,

"That, upon the Consideration of the Protection of Person and Property (Ireland) Bill, as amended, this day, at 7 o'clock, any Amendments then standing upon the Notice Paper be put forthwith."—(*The Marquess of Hartington.*)

The House *divided*:—Ayes 371; Noes 53: Majority 318.—(Div. List, No. 84.)

ORDER OF THE DAY.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL.—[BILL 90.]

(*Mr. W. E. Forster, Mr. Gladstone, Sir William Harcourt.*)

CONSIDERATION. [ADJOURNED DEBATE.]

[THIRD NIGHT.]

Order read for resuming Adjourned Debate on Amendment proposed to the Bill [23rd February], (on Consideration, as amended).

And which Amendment was,

In page 2, after sub-section (3), to insert a new sub-section:—"(4.) On the expiration of a period of three months after the arrest of each person detained under this Act, and so from time to time on the expiration of each succeeding period of three months while such person is detained, the Lord Lieutenant shall consider the case of such person and decide thereon; and the decision of the Lord Lieutenant in that behalf shall be certified under his hand, or the hand of the Chief Secretary to the Lord Lieutenant, to each Clerk of the Crown, by whom a copy of the warrant under which such person shall be detained shall be filed in his public office, under this Act, and each such Clerk of the Crown shall record such decision by indorsement on the copy of the warrant so filed in his office."—(*Mr. William Edward Forster.*)

Question again proposed, "That the new sub-section be there inserted."

Debate *resumed*.

MR. CALLAN, having been the last speaker on the previous evening, inquired of the Speaker whether, in giving precedence to the Amendment of his hon. Friend (Mr. Metge), the first on the Paper, he would be entitled to make the Motion which stood in his name immediately after that of his hon. Friend had been disposed of? If he were not allowed to do so he would, while in possession of the House, conclude with the Motion which he proposed making; but, as a matter of convenience, and as the Amendment of his hon. Friend stood before his Motion, he would wish to give that Amendment preference, if by so doing he did not forfeit his right to make his own Motion.

MR. SPEAKER said, after the Amendment of the hon. Member for Meath was disposed of the hon. Gentleman would be at liberty to move his Amendment.

MR. METGE moved, as an Amendment, to substitute "two" for "three," so that the several cases might be considered every two months. He thought it would be better that one month should be the time; but he would propose two as a compromise, which he hoped the right hon. Gentleman would accept.

Amendment proposed to the said proposed Amendment, in line 1, to leave out the word "Three," in order to insert the word "Two,"—(*Mr. Metge,*)—instead thereof.

Question proposed, "That the word 'Three' stand part of the proposed Amendment."

MR. W. E. FORSTER said, the hon. Member spoke of this proposal as a compromise. For his own part, he thought he was carrying out the views of hon. Members opposite when he proposed three months. He could not consent to shorten the time, for three months was a reasonable period.

MR. O'DONNELL regretted that he was unable to support the Amendment, as he had suggested to the Chief Secretary the period of three months, a suggestion which the right hon. Gentleman had been kind enough to accept.

MR. A. M. SULLIVAN explained that the object of the Amendment was to enable the Lord Lieutenant to ascertain, as soon as possible, whether an innocent person had been put into prison or not. If any mistake had been made there was no reason why an innocent man should not have a chance of being released at the end of two months instead of three.

Mr. HEALY said, this was a case of putting restrictions on the Irish Executive. From his point of view, he was in favour of putting every restriction on the Executive. All that the Amendment proposed was, that a man should have a chance of obtaining his liberty sooner if it was found that he had been wrongfully arrested.

Mr. BIGGAR hoped the House would agree to the Amendment; but really, lest innocent men should be wrongfully confined, he thought there should be a monthly investigation.

Mr. BARRY thought it would be a very hard thing for a man to be three months without having an opportunity of establishing his innocence. If, however, the Chief Secretary objected to the period of two months, perhaps he would alter the Amendment to read "within a period of three months." It would leave it open to the Lord Lieutenant to consider the case within three months, and do away with a hard-and-fast line.

Mr. W. E. FORSTER said, it was not necessary to adopt that suggestion. Whenever his noble Friend the Lord Lieutenant obtained information that a prisoner was wrongfully detained he would not wait three months to review his case. The chief object in fixing the revision every three months was not to ascertain whether the reasonable suspicion upon which he had been arrested had been then removed, but whether it was necessary for the public interest that he should be further detained.

Mr. O'SULLIVAN hoped the Government would not bind themselves to a tri-monthly investigation. In England, when the Tories were in Office, they held an investigation once a-month.

Mr. W. E. FORSTER: As I have already said, it is not necessary that we should wait for three months if we believe the person should be discharged.

Amendment to the said proposed Amendment, by leave, *withdrawn.*

Mr. CALLAN moved, in line 4, after "Lord Lieutenant," to insert, "by and with the advice of the Privy Council in Ireland." The other day they were assured by the Prime Minister of the solemnity of the functions which the Privy Council had to perform. Well, he believed it could have no more solemn and sacred duty than to inquire, under these circumstances, into the merits of the prisoners who were detained. He did not join the number of Members who sat on that side of the House in the denunciation of some of the Irish Judges. On the contrary, he had for them a very high respect, and particularly for those who were members of the Privy Council. If, unfortunately, he should happen to become an unfortunate prisoner—although he did not believe he would, for he would do nothing to bring himself under the purview of the Act—he would much rather have the merits of the question tested by those who had great experience of sifting evidence than to have his case investigated by the Lord Lieutenant, or even the Chief Secretary for Ireland. He would rather have his case tested by Mr. Justice Fitzgerald, Mr. Baron Dowse, or Mr. Justice Barry, not because he was known personally to them, but because he believed, from their avocations and habits of life, they would sift the evidence with skill, and, were there a vein of exaggeration running through the information, would readily detect it. If the Chief Secretary would accept his Amendment he would willingly withdraw the other which stood in his name.

Amendment proposed,

In line 4 of the said proposed Amendment after the words "Lord Lieutenant," to insert the words "by and with the advice of the Privy Council in Ireland."—(*Mr. Callan.*)

Question proposed, "That those words be there inserted."

Mr. W. E. FORSTER said, he was not surprised at the hon. Member saying he would strike out his other Amendment if the one before the House were carried, because they were so very contradictory to one another. He could not well understand how the same Member could justify both Amendments. But the question of adding the words proposed would make a very considerable difference, because it would make the members of the Privy Council really responsible for a prisoner being detained after the expiration of three months. The proposition appeared to him to be perfectly inconsistent with the spirit of the Bill, which gave to the Lord Lieutenant, as the Representative of the Government, the power to arrest. Why should it not leave in the same hands the power to re-consider the arrest? Another reason would be that the Privy Council, which consisted of a large number of persons, might all give a vote, and so it would be left to them really to decide, thus taking away from the Government the responsibility resting upon them, and putting it into the hands of whoever had been appointed a member of the Privy Council either by the present or last Governments.

SIR JOSEPH M'KENNA could really not understand the proposition of his hon. Friend. He thought the Amendment of the Chief Secretary was better as it stood. No doubt it would be very hard lines, indeed, when the Bill came into operation; but he would prefer to leave to the noble Lord who would administer the Government of Ireland, or to the Chief Secretary, the office of mercy, than relegate it to a very large number of gentlemen, no doubt of the very highest position and standing, but, nevertheless, who could not understand the nature of the charge that had been made, and all the surrounding circumstances, as well as the Lord Lieutenant or the Chief Secretary.

MR. BIGGAR opposed the Amendment. If the Irish Privy Council was composed of men of such impartial character as the late Baron Pigott, and the present Judge O'Brien, and perhaps some of the other Judges named by his hon. Friend (Mr. Callan), he would be disposed to support the Amendment very warmly; but when it was partly composed of men who were unable to arrive at an impartial decision, such as the Chief Justice of the Queen's Bench, it would be very unwise to extend this responsibility to them. He thought that it was better for them to confine themselves to an extremely bad tribunal—one which had some influence—than to extend the responsibility to a worse tribunal, over which they had no influence at all.

MR. M'COAN said, the obvious objection to the Amendment was that its practical effect would be to distribute amongst the numerous body comprising the Privy Council the responsibility of this Bill which was now centred in the Chief Secretary and the Lord Lieutenant.

MR. LEAMY confessed that he was much surprised to see such an Amendment proposed by his hon. Friend. As far as he was concerned, he should certainly vote against it.

MR. R. POWER asked that the Amendment should be withdrawn, because he not only could not agree with it, but did not understand what it meant.

MR. CALLAN said, as his Amendment did not seem to commend itself to the House, he begged to ask leave to withdraw it.

Amendment to the said proposed Amendment, by leave, *withdrawn.*

MR. REDMOND moved, in line 4, after "person," insert "upon whatever evidence the relatives or friends of said person may adduce." The object he had in view in asking for the insertion of these words was that an innocent person might have every opportunity of proving his innocence. Up to now the action of the Government had gone in a different direction, as they had refused to concede anything to facilitate innocent men proving they were unjustly apprehended. On the commonest principles of justice this Amendment ought to commend itself to the House.

Amendment proposed,

In line 4 of the said proposed Amendment, after the word "person," to insert the words "upon whatever evidence the relatives or friends of said person may adduce."—(*Mr Redmond.*)

Question proposed, "That those words be there inserted."

MR. W. E. FORSTER objected to the Amendment, on the ground that it would be importing into the matter the form of a judicial investigation. In addition to that, he thought it would be exceedingly hard to the person arrested, because it would very seriously limit the power of the Lord Lieutenant in re-considering the case. It would limit him to the evidence that the relations or friends might adduce. ["No, no!"] He considered it would have that effect, and there were two grounds why arrests should be re-considered — first, as to whether the reasonable suspicion existed any longer; and, secondly, whether it was necessary to punish the accused by detaining them any longer.

MR. FINIGAN asked why they should be called upon to place themselves in the hands of the Chief Secretary and the chief of the police. No doubt the Lord Lieutenant was a very good man; but the people who would have to deal with the matter were the Chief Secretary and the police, and he altogether declined to accept these persons, because the Chief Secretary had neither a correct idea of what was law nor what was justice.

Mr. BYRNE supported the Amendment, and said that without it the inquiry of the Lord Lieutenant would be simply useless. The Lord Lieutenant would be asked to act, as it were, in a judicial position; and, unless evidence was given by friends of the prisoner, how could he for a moment decide upon his guilt or innocence?

Sir JOSEPH M'KENNA hoped that the Chief Secretary would consent to the insertion of some words which would give effect to the purpose of the Amendment of his hon. Friend the Member for New Ross. As things stood the Lord Lieutenant would have no evidence, but a simple schedule. If it was thought that the actual words of the Amendment gave too much latitude on one hand, and too little on the other, some such words as "including whatever evidence the relatives and friends of the accused might adduce" might be inserted. He wished that the Irish people should have reason to believe that the Government desired not only to coerce, but to adjudicate. At present the Lord Lieutenant would have nothing to adjudicate upon.

Mr. LEAMY thought that without the addition of words equivalent to the Amendment before the House the Chief Secretary's Amendment would have no value whatever. They only asked that a particular kind of evidence should be admitted. They did not require that the Lord Lieutenant should necessarily act upon that evidence.

Mr. SEXTON protested against the refusal of the Government to accept the Amendment. It seemed to him that men were to be liable to illegal arrest without showing by their relatives and friends that they were innocent.

Mr. W. E. FORSTER said, that he had promised them every inquiry should be made.

Mr. SEXTON said, if that was the intention of the Government he failed to see why they should object to making the matter clear by accepting the Amendment. Why should they not make their determination of a specific nature, and then no mistake could arise? Unless they did he should be driven to the conclusion that the inquiries which the Government promised would lead to nothing. The Lord Lieutenant would only read over the old records, and decide on them, and the real facts of the case would never come out at all. Unless that was so let it be stated in the Bill, and he was sure it would give great satisfaction.

Mr. BARRY said, that unless there was some provision made, such as was suggested by the Amendment, he could see that it would be impossible for the relatives and friends of prisoners to bring forward any evidence that would be of any value.

Mr. HEALY said, he was at a loss to know what objection there could be to the acceptance of the Amendment if the Chief Secretary wished to prevent innocent people from suffering.

Mr. JUSTIN M'CARTHY considered the Amendment a fair and moderate one.

Mr. CALLAN said, it was to be hoped the Chief Secretary would accept this Amendment. Common sense was a commodity which seemed to be very much wanted amongst the draftsmen of the Bill at least; and for the life of him he could not see what objection there could be to expressing in the Act itself what the Government professed was the principle that governed their actions, for it simply stated that the Lord Lieutenant should consider the case of a person. In that case let them include any evidence the relatives of the said person might bring forward. If he would not accept the Amendment, he asked the right hon. Gentleman whether he would condescend to pledge himself on the part of the Executive to make this a part of the case in some shape or point?

And it being Seven of the clock, Mr. Speaker, in pursuance of the Order of the House, put the Question.

The House *divided*:—Ayes 41; Noes 337: Majority 296.—(Div. List, No. 85.)

Amendment proposed, in line 6 of the said proposed Amendment, to leave out the word "or," in order to insert the word "and,"—(*Mr. Healy*,)—instead thereof, Question put, "That the word 'or' stand part of the said proposed Amendment."

The House *divided*:—Ayes 282; Noes 39: Majority 243.—(Div. List, No. 86.)

Amendment proposed to the said proposed Amendment,

At the end, to insert the words "and such decision shall be laid before each House of Parliament within the first seven days of every month during which Parliament is sitting, and when Parliament is not sitting such decision shall be published in the Dublin Gazette within the first seven days of every month."—(*Mr. Healy.*)

Question put, "That those words be there inserted."

The House *divided*:—Ayes 36; Noes 230: Majority 194.—(Div. List, No. 87.)

New sub-section *inserted*.

MR. SPEAKER: I have to point out that the next Amendment standing in the name of the hon. Member for Wexford cannot be put, because the question involved refers to a matter already decided by the House. The same remark also applies to the Amendment of the hon. Member for Tralee.

Amendment proposed,

In page 2, line 14, to insert at end of Clause 1, "Nothing in this Clause shall be understood to interfere with the right of all persons to take part in public meetings, unless such meeting or meetings shall have been previously forbidden to be held by proclamation made by order of the Lord Lieutenant of Ireland for the time being."—(*Mr. Leamy.*)

Question put, "That those words be there inserted."

The House *divided*:—Ayes 35; Noes 205: Majority 170.—(Div. List, No. 88.)

Amendment proposed, in page 2, line 16, to leave out the word "or," and insert the word "and,"—(*Mr. Healy,*) —instead thereof.

Question put, "That the word 'or' stand part of the Bill."

The House *divided*:—Ayes 201; Noes 34: Majority 167.—(Div. List, No. 89.)

THE O'DONOGHUE directed attention to an Amendment standing on the Paper in the name of the Solicitor General for Ireland, which, he said, had apparently escaped the Speaker's notice, as it had not been put from the Chair.

MR. SPEAKER explained that he had not put it because it appeared on the Paper by a clerical error.

THE O'DONOGHUE: Then there was the Amendment of the hon. Member for Meath (Mr. Metge).

MR. SPEAKER said, that was not challenged.

Several Irish MEMBERS: It was challenged.

Amendment made.

Amendment proposed,

In page 2, line 30, to leave out the words "by and with the advice of the Privy Council in Ireland."—(*Mr. Callan.*)

Question put, "That the words proposed to be left out stand part of the Bill."

The House *divided*:—Ayes 199; Noes 34: Majority 165.—(Div. List, No. 90.)

Amendment proposed, in page 2, line 31, to leave out the words "and when made revoke and alter."—(*Mr. Daly.*)

Question put, "That the words proposed to be left out stand part of the Bill."

The House *divided*:—Ayes 201; Noes 37: Majority 164.—(Div. List, No. 91.)

Amendment proposed,

In page 3, line 3, after sub-section (4), insert the following sub-section:—(5.) "Person" means adult male person.—(*Mr. William Corbet.*)

Question put, "That those words be there inserted."

The House *divided*:—Ayes 34; Noes 190: Majority 156.—(Div. List, No. 92.)

MR. SPEAKER: I have to inform the House that the two Amendments standing in the name of the hon. Member for Kirkcaldy (Sir George Campbell) are inadmissible in this Bill.

Amendment proposed,

In page 3, line 7, to leave out the words "thirtieth day of September one thousand eight hundred and eighty-two," in order to insert the words "first day of January one thousand eight hundred and eighty-two,"—(*Mr. Redmond,*) —instead thereof.

Question put, "That the words 'thirtieth day of September one thousand eight hundred and eighty-two' stand part of the Bill."

The House *divided*:—Ayes 195; Noes 38: Majority 157.—(Div. List, No. 93.)

MR. SPEAKER: There are two more Amendments on the Paper—one standing in the name of the hon. Member for Wicklow (Mr. M'Coan) and the other in the name of the hon. Member for Cork (Mr. Parnell). The principles contained in these Amendments, which propose to take away the retrospective action of the Bill and to restrict its operation to September 31 next, having been already decided by previous votes, the Amendments are inadmissible. I have now to call on the right hon. Gentleman in charge of the Bill to state what course he proposes to take.

MR. W. E. FORSTER: I beg, Sir, to move that the Bill be now read a third time. I do not think for a moment of taking up the time of the House by reiterating and repeating my argument either in defence of the Bill or in description of the Bill; but, as it is not the usual course to move the third reading of a Bill immediately after receiving the Report of it, I wish to state why, on the part of the Government, I take this course to-night, in the full confidence that the House will approve of my doing so. It will be remembered that the Bill was brought forward as a matter of great urgency, and the House, by a Resolution which was carried by a very large majority, accepted the conviction of the Government that it was an urgent measure. But as, notwithstanding that urgency, this is the 21st day that the measure has been before the House, and as it has been accepted by a very large majority, I now beg to move the third reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. William Edward Forster.*)

MR. JUSTIN M'CARTHY rose to address the House, when——

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. JUSTIN M'CARTHY proceeded to say that, when this Bill was first introduced, the majority of the section of Irish Members with whom he acted announced that they felt it their duty to give to it in all its stages their most uncompromising opposition. He thought, however, other Parties in that House might have failed to keep the pledges they had given. The Irish Members had thus far fairly fulfilled their promise in that respect. They had hitherto given this Bill every legitimate and becoming opposition in their power, and, in further pursuance of the promise, he rose to offer almost the last opposition it was in their power to give to this most unnecessary, most dangerous, and most unworthy Bill, and to move that it be read—not now, but at a saner period for the House and the country—that day six months. He maintained that they had kept their opposition to the Bill strictly within the bounds of what was legitimate, becoming, necessary, and Constitutional. The Chief Secretary to the Lord Lieutenant, in speaking that night, referred to the fact that the Bill had taken 21 days to bring it to its present stage of progress, and he seemed to think that was something extraordinary—something involving an unparalleled and intolerable trial on the patience of the House of Commons; and he seemed to imply that Irish Members were guilty of something like an outrage against the tender feelings of Her Majesty's Government and the British public. The Chief Secretary evidently thought of Coercion Bills only in those later and feebler days, when passing a Coercion Bill for Ireland was a matter of easy amusement for the House of Commons and the House of Lords. The right hon. Gentleman had been a practical working statesman in days when a Coercion Bill for Ireland could be passed at any moment as it suited the whim or pleasure of the Ministry in existence; when there was no organized power in the hands of the Irish Members to make anything like a fair and prolonged stand against its passing into law; but they must remember that there were times when the opposition to coercion was of a little more robust kind than that, and more nearly resembled the opposition it had been their duty and pleasure to offer to this measure. Let him call to the memory of the House the famous Coercion Bill introduced by the Government of Lord Grey. If any man had a claim on the patience and endurance of the House of Commons, on all men of Liberal thoughts, and on Irish Members, Lord Grey was assuredly that man. He brought in that Bill after his great and magnificent success in passing the Reform Bill. He came and asked the Parliament which he had called into existence not merely by the process of new election, but by a process of entire change in the country—he came and appealed to them to allow him to pass a Coercion Bill for Ireland. He (Mr. Justin M'Carthy) was bound to say that he did bring forward strong reasons why coercion might have seemed necessary. He brought forward Returns of outrage showing a different condition of things from that to which the Chief Secretary had again and again described—Returns very different from the trumpery and preposterous stories of outrage with which the Chief Secretary had more than once astonished and amused the House of Commons. And how was his proposal received? Was it passed through in the course of one or two days? Not at all. A strenuous opposition, such as they had not seen even in the present case, was offered to Lord Grey's Coercion Bill. It was not only resisted in the House of Commons, but even the House of Lords, before which it was brought in the first instance, did not consent to rattle through it with the unseemly and indecent haste which they had witnessed in more recent years. Mr. Spencer Walpole, a near relative of a distinguished Member of that House, in his very admirable and impartial *History of England*, made some strictures on the conduct of the House of Lords for the rapidity with which they passed the measure. He commented on the fact that the House of Lords hardly thought it necessary to discuss a Bill fatal to the existence of freedom in Ireland. But what did the House of Lords do? Did they pass the three readings at one Sitting? Not at all; they took some time over it. The measure was brought before the Lords for the first time on the 15th of February; it was read a second time on Monday, the 18th of February; it went into Committee in the House of Lords on Tuesday, the 19th of February; Report was taken on Thursday, the 21st of February; and the third reading was passed on Friday, the 22nd of February. Therefore, that kind of haste which a most impartial historian censured as unbecoming in the House of Lords kept them more than a week in discussing the measure. They put it through its several stages with, at all events, dignity and decency, and did not condescend to rush it through, even to gratify the great Minister who then presided over the destinies of England. It was taken into the House of Commons almost immediately afterwards, and how did it prosper? Six long nights were occupied with the question of leave to bring in the Bill; four nights were occupied in discussing the second reading; six nights were given to the consideration of the Bill in Committee; one night was taken up then by the House of Lords in considering the Amendments introduced in the House of Commons; and that Coercion Bill, introduced by Earl Grey in the House of Lords on the 15th of February, received the Royal Assent on the 3rd of April. Now, he asked any hon. Member of the House, on whatever side he was, how could he possibly join in the wonder and indignation expressed by the Chief Secretary because the House of Commons had been 21 nights discussing this unnecessary—this worthless—Coercion Bill, when Earl Grey, with all the force of a new Administration, a new Parliament, and new constituencies, was occupied from the 15th of February till the 3rd of April in passing through a measure which no one in the House of Commons, even among Irish Members, declared to be absolutely unnecessary. That simple fact disposed of the constant charge made against Irish Members of having occupied unnecessarily the time of Her Majesty's Government, and of having delayed the progress of the Coercion Bill. The truth was that in later times they fell into bad habits; and at last it came to pass that, if the House of Lords were to take the course which Mr. Walpole censured as indecent in its haste, and occupied a week and a day in discussing the measure, the whole country would wonder whether the House of Lords was not yielding to the vice of Obstruction. The fact was that in 1833 the Irish Party was an organized Party, and had a resolute Leader. After that they became for a long time disorganized and leaderless. They were now again an organized Party and had a resolute Leader, whose position for the moment he found himself most inadequately compelled to occupy. Let them look for a moment at the history of this Coercion Bill. It carried, indeed, very much of its history written on its face. This was not a Coercion Bill introduced for the purpose of making any change in or bettering the condition of Ireland. It was not introduced for the purpose of meeting any emergency or existing necessity in Ireland. This was a Coercion Bill introduced to satisfy what was oddly called public opinion in England. By public opinion in England was meant the public opinion of a certain portion of the population of the Metropolis, living for the most part in the West End. He did the Chief Secretary to the Lord Lieutenant the justice to believe that he had a certain amount of good intention in introducing the Bill. He did not believe the right hon. Gentleman thought it necessary for the purpose of maintaining order in Ireland; but he did think he thought it necessary for the purpose of maintaining what might fairly be called order in England, satisfying the clamour of London, and inducing a state of mind which might enable the Government to pass their Irish measures of Land Reform. He believed the Government saw that there was a temper got up in London against Ireland and the Irish Party, which would render it very difficult for them to pass their measure of Land Reform; and he believed they more or less threw this sop to the barking Cerberus in the Metropolis, and that they brought in this Coercion Bill in order that they might have a better chance of passing their measure of Land Reform. They saw that, with some three or four honourable exceptions, the Press of London was clamorous for any measure of coercion for Ireland that would displease and dissatisfy the Irish people. They were out of temper with Ireland; they were displeased with the hon. Member for Cork City (Mr. Parnell) and the hon. Member for Tipperary (Mr. Dillon), and he supposed they did like not very much any of the Irish Members who represented national constituencies in the House of Commons, and they were anxious that anything should be done to inflict some sort of punishment on the country that had sent those persons to Parliament to disturb the sweet tranquillity of Her Majesty's Ministry. On that subject most of the newspapers were in harmonious agreement, from the deep growl of *The Times* to the shrilly scream of *The St. James's Gazette.* In the words of King Lear—

> "The little dogs and all,
> "Tray, Blanch, and Sweetheart, see, they bark at me."

At that time the attitude of the Chief Secretary was noticeable. His language was dark and menacing. He spoke of the portentous state of things he had only just discovered, and without immediately producing any official Returns, he contrived to anticipate the effect of their publication. Hon. Members would recollect the various changes that had been evident in the mind of the right hon. Gentleman. He first began by alleging the great turbulence of the whole of the Irish population, and he drew, like a political Rembrandt, a striking picture of certain Irish districts which were ruled by "dissolute ruffians" who had got to be leaders of the Land League, and masters of the society of the village. He believed the right hon. Gentleman sincerely believed what he first said on this subject; but that was because he knew nothing of the real facts of the case. He was, however, reminded in this House that in the majority of cases the leader of the Land League in the different districts was one of the respected Roman Catholic clergy of the place; and the Chief Secretary was asked if he meant to describe these gentlemen as "dissolute ruffians," and he assured the House he never meant anything of the kind. He was perfectly certain he never did mean it. The fact was that up to that time the Chief Secretary had not the faintest notion that the Roman Catholic clergy had anything to do with the organization or leadership of the Land League. That fact came upon him as a perfect revelation, and then dawned upon his mind two facts—first, that the Land League was by no means the disorganized association of men he had imagined, but that it was a body doing a stupendous work in Ireland, and most dangerous in that way to the existing system of landlordism and land tenure. At once the "dissolute ruffians" vanished from the scene, and had never been heard of any more from that time to this. The right hon. Gentleman had ceased to remind the House even of the existence of that extraordinary set of men. Then came the time when it was necessary to lay his Returns upon the Table of the

House to show the fearful outrages that were going on throughout Ireland. He would not again analyze the figures of those Returns; but he might fairly say that they were received by the House with a certain amount of decorous laughter, and that probably no one on the Treasury Bench regarded them as a serious argument for the Bill. If they took the worst county in Ireland where the greatest distress prevailed, and where the commission of outrages would be most naturally expected, they found that those Returns showed no necessity whatever for a departure from the ordinary laws of the Realm. In his own county almost unexampled quietness prevailed, only one grave offence having been committed during the last year, and yet Longford stood not first, but third or fourth in the list of orderly counties. The offender was at once arrested, tried, and sentenced to 20 years' penal servitude. The Solicitor General for Ireland had, however, painted that county as if it were in the flames of a civil war. He described a body of men lying concealed in ambush behind trees ready to attack the military; but there was not as much as a hedge there that would shelter even a rabbit.

THE SOLICITOR GENERAL FOR IRELAND (Mr. W. M. JOHNSON): I said they were sheltered by an embankment, and I have here a letter to prove it.

MR. JUSTIN M'CARTHY said, the House now perfectly understood the value of those Returns. A great many of them consisted in the breaking of panes of glass, pulling down cocks of hay, and the sending threatening letters announcing the intention, if something was not done, of breaking more panes of glass or pulling down more cocks of hay. But those Returns had dropped out of sight, and they had not been able from that time to this to extort from the Chief Secretary any further Returns of agricultural crime in Ireland. Latterly the right hon. Gentleman had taken a new line, and had attitudinized as the open enemy of the Land League. The right hon. and learned Gentleman the Home Secretary, however, took a wider range than his Colleagues. He crossed the Atlantic at a bound, and introduced them to some desperate and truculent men who were plotting assassination to a degree that had never been dreamt of before, and he declared that because this was going on in America a Coercion Act was necessary for Ireland. There seemed to be a strange scheme to assassinate everybody in London, and the Home Secretary's method of grappling with it was to put the County of Dublin under coercion. The Home Secretary himself was not willing peacefully to be done to death in Whitehall without making some struggle for life by coercing the people of Longford. That was the newest reason for this Bill. He (Mr. Justin M'Carthy) knew something of America, and he had never heard of any such diabolical agitation—diabolical if it were not absolutely ridiculous. He would advise the Home Secretary, when he was told of plots for assassinating Her Majesty's Ministers, blowing up the Houses of Parliament, and setting the Thames on fire, to treat them with absolute contempt. Human nature would never so change that a considerable number of persons in this or any other country, even the Nihilists of Russia, could long continue to cherish such designs. He trusted Her Majesty's Ministers would live long and happily—long after these plotters in America, and their papers, their dynamite, and their daggers were forgotten. But, let the plotters be as bad as they might, no plots conceived in America and to be executed in London could be counteracted by coercion in Tipperary or in Cork. He would remind the right hon. and learned Gentleman of the words used by Lord John Russell with respect to Lord Palmerston's Conspiracy Bill. Lord John Russell had said that the fanatical assassins who were really dangerous were persons who would not be deterred by any fear of punishment or force of coercion. He thought, therefore, that they might dismiss, as theatrical, not to say melodramatic, the display made by the Home Secretary; for he could hardly think that while the right hon. and learned Gentleman was reading the dreadful threats his pulse beat one tittle higher, or that he felt the least alarmed as to the possible success of those schemes. The Chief Secretary had indicated that the existing system of things in Ireland had found a serious rival in the Land League, and, for his part, he could not doubt that the real object of this Bill was to break up the organization of the Land League and suspend its operations.

Nothing in our time ever took hold of the minds of the Irish public with the same quickness and force as did the organization of the Land League. He was sorry to say that he had only recently become a member. It was only when the Government issued their offensive challenge and started a prosecution against members of the Land League that he thought it the duty of every Irishman who pretended to be a patriot to join the organization—an honest and open organization—a body which aimed at closing, and rightly claimed to have closed, the era of secret and midnight conspiracy that under so many different names had been the terror and curse of Ireland for many generations. The Land League was the strongest argument against the Bill, to which he should continue to offer an uncompromising resistance, even if there were no other ground than that it was designed to suppress that organization. The Bill was absolutely unnecessary, superfluous, and worthless. He wished he could say it was only worthless. But it was much worse than worthless. It would cause great bitterness of feeling, and would re-open the melancholy chapter of secret nocturnal conspiracy in Ireland. Then, see at what a cost they had purchased the passing of it through Parliament! It had not been many weeks under discussion, and they had already had to break down, one by one, some of the most ancient and treasured traditions of the Constitution; they had had to do things which might at any time place the most patriotic and enlightened minority at the mercy of some reckless and despotic majority. Unless the Government could show the existence of serious disturbance in order to justify such a measure, they had better think once, twice, nay, thrice, before pressing it forward. The Government put him in mind of a picture by Hogarth, where a furious partizan, dissatisfied with the political device on a sign, was sawing down the signboard, without remembering that he himself was sitting on it. He held that the Irish Members had so far done their duty in resisting the measure; and it would have been well if English Members had joined them more largely, and so prevented the purchase of Irish coercion at the cost of the liberties of their own country. In their eagerness to cut down the Land League the Government had been cutting down much that was best in the whole system of Parliamentary Government. If the Irish Members were inclined to be vindictive, bitter indeed would be the revenge that the Government had put into their possession. In pulling down the organization of the League the Government had gone near to pulling down the pillars of their own Parliamentary system. In conclusion, he begged to move that the Bill be read a third time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Justin M'Carthy.*)

Question proposed, "That the word 'now' stand part of the Question."

Colonel COLTHURST said, he felt himself called upon to say a few words before this measure was passed, and he could not help stating his belief that a great deal of the difficulty which had arisen, and which called forth the legislation, would have been obviated had the Compensation for Disturbance Bill of last Session been made law. He desired to speak particularly of one class of tenants in Ireland; but before he did so, he might remind the House that the tenantry of that country might be divided into three classes. There was one class which could afford to pay rents, but withheld them, on the ground that they could not pay more than Griffith's valuation before the Land Question was settled. He had no sympathy with them, because he believed they could pay; but there was another class, who, following the mischievous and bad advice given to them by the hon. Member for the City of Cork (Mr. Parnell), who was probably better employed in cementing the new-born alliance between the Land League and the Paris Anarchists and Communists. [*Cries of* "No, no!" *and* "Shame!"] Yes; he repeated it. He hoped the hon. Member found himself better employed than in giving the advice that he and others had so often given. The poor tenants to whom he referred withheld the rent which they had made a sacrifice to get together, offered Griffith's valuation, which was refused, and they had now spent the money in meeting other demands. In what position would the

Bill find these men? They would be helpless, and on the verge of ruin. The hon. Member for the City of Cork would be called to assist them; but all he could do would be to give them £5 or £10 out of the funds of the Land League; and he repeated that he laid the blame of the ruin of those poor people at the door of the hon. Member for the City of Cork. There was, however, a third class, which the Bill of last Session was meant to protect until they had recovered from the pressure which three years of bad harvests had forced upon them. This class had, of necessity, fallen into arrears, and were unable to pay their rents. If they required protection last year—and it was admitted that they did—there was a greater necessity for protection now. It might be said—and had been said—that a good harvest would put them on their legs, to use a common expression, and, had the Compensation for Disturbance Bill of last year passed, and given them the security it was designed to give, it certainly would have put them on their feet again; but without it the good harvest had only made them a better mark for the creditors, whether landlords, traders, or money lenders. He maintained that it was the bounden duty of the Government and the House, now that the present Bill would remove the only protection the poor people had, however illegal it might be, to consider the position in which they were. He suggested that the question of arrears of rent ought to be referred to the Commission, which was sure to be called into operation in regard to the Land Question, and that it should be called into existence at once. If no provision was made for the settlement of the question of arrears, the House would seriously injure, if not entirely mar, what he hoped would be a final and just and equitable settlement of the Land Question.

MR. O'SULLIVAN said, he could not understand the grounds on which the hon. and gallant Member (Colonel Colthurst) had attempted to lay the so-called ruin of the tenants at the door of the hon. Member for Cork City (Mr. Parnell). While the Government was looking on without doing anything for the Irish peasants on the verge of starvation, the hon. Member for Cork City went to America and collected £60,000, which was distributed. Surely that was not bringing ruin on the Irish tenants. Again, without any exaggeration, there had been between £1,000,000 and £2,000,000 of arrears wiped off, owing to the action of the hon. Member for Cork City. Surely that was not the way to bring about the ruin of the Irish tenants. Although it was a foregone conclusion with the Government to pass this Bill, he should resist it to the utmost. It would be a tyrannical enactment, entirely destructive of liberty. It was said it was only to enable them to deal with bad members of society; but he did not see any limit to its power. As soon as the Bill was passed, they would have every man in Ireland at the mercy of the magistrates and the police. The Irish people knew well, from bitter experience, that those powers given in the Bill would be used with a vengeance. He also opposed the Bill because it was not required in his country, notwithstanding the large number of crimes multiplied in the Blue Book, most of which consisted of threatening letters and other minor offences. He maintained they would find few countries in the world freer from serious crime than Ireland. Take the crimes of murder; what did they find? They found, from every cause during the past year in all Ireland, 26 murders. That was 26 too many; but let them take one district of one county in England during the same period. They found, according to the Return of one Coroner, verdicts brought in for five murders and nine cases of manslaughter. That was more than one-half the entire murders committed in Ireland, with 5,500,000 people, and yet they did not ask for a Coercion Bill for England. He opposed the Bill because it was grossly unjust to deprive the people of their liberties without sufficient cause. The real cause for the Bill was that they wished to give arbitrary powers to rack-renting landlords, and to enforce the payment of unjust and exorbitant rents. This was a question which had agitated Ireland for the last 300 years; and because the Land League had brought it to a crisis, and made it ripe for settlement, the Government turned round on it and prosecuted a large number of its members. What had been the result? By a verdict of 10 to 2, the jury had declared against the landlords; and they would find that verdict endorsed by at least that proportion, if they could take the honest, unprejudiced vote of the entire country. So far back as 1844, the then Lord Stanley said—

> "The remedy for the evils in Ireland is not to be found in emigration, but in a system under which the Irish tenant would be induced to invest his labour and his capital in the land he cultivated."

This was what was required to settle this question once and for ever. The right hon. Gentleman the Prime Minister had told the House that O'Connell, during all his agitation, admonished the people not to violate the laws of the country. But what did O'Connell get in return for his peaceful counsel to the people? He was brought before a packed jury by the Government of this country, who convicted him, as a matter of course, and he was thrown into a prison in the 70th year of his age, which broke his large heart. The farmer was well aware that the Land Laws had ever been made against his interest; therefore, it was only natural that he should do everything he possibly could to defeat those laws. That was the root of the land difficulty in Ireland. Wherever the farmer's voice could be heard he cried out for a settlement of that question. He held in his hand resolutions against coercion and in favour of a good, comprehensive Land Bill, passed by the Corporation of Limerick City, by the Guardians of the Kilmallock Union, and by the Town Commissioners of Rathkeale, with which he need not trouble the House. He believed that if the Government were really desirous of pacifying the people, and did not want to enable landlords to enforce terrible rack-rents, they would bring forward their Land Bill before coercion. In conclusion, he asked what security was there that many innocent people throughout the country would not be arrested under this Bill? What protection was there for them in local prisons against persecution and insult? What guarantee was there that their businesses might not be ruined by the terror of local authority, which would prevent people from dealing with men who were imprisoned? Once this Bill passed, all liberty and protection for those whom local authorities wanted to injure and persecute from base revenge were taken away. For those and other reasons, he felt he would not be discharging his duty if he did not oppose the Bill in every possible way.

Mr. A. MOORE desired to enter his earnest protest against this Bill. He believed that if the Government had introduced remedial legislation for Ireland first they would have enlisted the sympathy of all right-minded men in any protective measures which they might afterwards have deemed it necessary to bring in. One of the greatest difficulties they had to contend with in this question was not so much the question of crime, but that of absolute poverty. A very large proportion of the agrarian crime of Ireland would not be known by the name of agrarian crime in England, but by a totally different name. The House, perhaps, might have some difficulty in realizing what he said; but if hon. Members would carefully inquire into the subject they would find that crime and poverty ran almost hand and hand in Ireland. They would find that the counties of Cork, Galway, Mayo, and Donegal enjoyed a very unenviable position in the Returns of Outrages, and that these very districts were inhabited by a teeming population who were almost on the brink of famine. If the Government wanted to grapple with the crime of Ireland, they must deal with its poverty. They were told that in a good year there were some 35,000 labourers who left Mayo and Connaught for the purpose of obtaining employment in England during harvest time; and that when harvest was gathered they returned to their own country. These men did fairly well in 1876; but in 1877 their case was much worse. In 1878 they had to borrow their fares from their starving wives and families; but in 1879 7,000 of these poor fellows could not find any employment at all in England. If they reckoned that each of these labourers lost £14—which was the average gains of Irish harvest labourers—they would find an aggregate loss of £100,000. Besides this, 20,000 of the men only got a part of the usual amount; and it was estimated that the total loss on this head alone amounted to £150,000. In this way the Province of Connaught lost, in 1879, the sum of £250,000. When they reflected that the total subscription raised at the London Mansion House for the relief of distress in Ireland only reached

£180,000, the House would have some idea of the troubles and privations which befell the people of Connaught. These harvesters returned home; they found they had no money in their pockets; they found they had no food; and they found, then, they had no out-door relief for them. This state of the Poor Law in Ireland was so intimately connected with crime that he had ventured to detain the House for a few moments. In Ireland there was no out-door relief for able-bodied men, and there was no out-door relief for persons holding more than a quarter of an acre of land. Some idea might be formed of the extent to which these restrictions were carried when he told them that in one of the poorest Unions in one of the disturbed districts the total relief granted in 1879 was only £21. In England there were seasons of extraordinary distress; but the Poor Laws were so elastic that they were equal to every occasion. There was no need in times of distress in England for a man to sell his furniture, for the Poor Law met him half way. This was not the case in Ireland. In England relief was given to an able-bodied man in case of sudden and urgent necessity; but there was no corresponding privilege in Ireland except in the case of eviction, when relief might be given for one month. Relief could be given to any member of a family in England; but in Ireland it would only be granted to the head of a family. In this country relief could be given in case of burial. There was no such thing in Ireland. In England Poor Law authorities were empowered to relieve widows; but it was not so in Ireland. Relief could not be granted in Ireland, as in England, in the case of a lunatic person; and, furthermore, in England relief could be disbursed to the wives of soldiers and sailors; but in Ireland, from which country our Army and Navy was so largely recruited, no like privilege prevailed. Again, in England the children of a man non-resident in any given Union might receive relief; but not so in Ireland. While, therefore, the poor Irish labourer was gathering in the harvest in England, there was no Poor Law to meet any destitution which might prevail in his family at home. These constituted the very grave differences between the Poor Laws of the two countries, and they were necessarily mixed up in the question of crime. For the man in adversity in Ireland had, as a rule, to wait until some foreign relief, or some timely benevolence from England, came to his assistance; or else abandon his home, sell his furniture, sacrifice all, in fact, and enter a workhouse, a resource which he detested in a way no Englishman could possibly realize. Poverty and crime were unquestionably closely allied in Ireland, for they could not expect the poor and hungry man to be well affected. The Poor Laws of Ireland must receive attention. There was no use in bringing in Coercion Acts if they would not remedy the evils under which Ireland groaned. The Poor Law system in Ireland was part and parcel of the Land Question. A great deal of complaint had been made about the time they had occupied in the discussion of this measure. Englishmen ought to extend to them some consideration in a matter which really involved the suspension of the liberties of the Irish people. No such stringent measure as the present had been attempted to be passed since 1817. The British Parliament had passed Coercion Acts in troubled times in Ireland; but he ventured to state that one of the consequences of this protracted struggle would be that no such measure would ever again be enforced upon them. They had accomplished the task of carrying it only after seven weeks of hard fighting, in which their own liberties had been sacrificed, and the Forms and Privileges of the House had been subjected to a strain which they were unable to bear. There was one subject which he would like to refer to before he sat down. One of the greatest difficulties in governing Ireland was the fact of the utter distrust with which everyone viewed the law. It was not sympathy with the criminal, but it was want of confidence in the law. If Ministers wanted to make the country prosperous, they must slowly and patiently undo all the wrongs brought about by years of misrule, and educate the people to freedom. These desired results would never be attained by suspending their Constitutional liberties and placing them at the mercy of any Administration, no matter how just or how humane.

MR. DAWSON said, that before this Bill was introduced he was of opinion that it was not required by the circumstances of the country. When the Chief

Secretary introduced it he became more convinced that that opinion was correct; and at every stage of the Bill that conviction became more deeply confirmed. The crimes upon which it was founded were very trifling, and, while some of them were agrarian, a great many were due to social causes. He believed that the Government had been forced into an untenable position by a desire to yield to the prejudices of the landlord class both in England and in Ireland. There was not a shadow of justification for the assertion that anything like a treasonable conspiracy existed in Ireland; and when it was borne in mind that there was there a deficiency in 1879 of £11,000,000 as compared with 1878, it was scarcely to be wondered at that the farmers were, in many instances, unable to pay 20*s*. in the pound. With regard to remarks made by an hon. Member at an earlier period of the evening, who had asked why tenants having money should have refused to pay rent, any person who was engaged in commercial pursuits knew that a man was not expected to pay more than a legitimate price for what he got, so on the same principle farmers were not to be expected to pay more than was the market price for land, and that was all they had refused to do. He was afraid, during the progress of the debate, some hon. Members had been led, in the heat of excitement, to speak as they would not have done at other times. If they had done so he could assure the House it was not done premeditatedly. As regarded the Liberal Benches the Bill was going to be passed without much discussion; and, indeed, he might apply the description "Vaticanism" to the prevalent characteristic of that side of the House—the Government had spoken and the cause was finished.

Mr. FINIGAN objected to the third reading on several grounds. The first was that the title of the Bill was a misnomer. Instead of a Bill "For the better Protection of Person and Property in Ireland," it should have been styled a Bill "For the Protection of Landlords' Unjust Rights." They had been told by the Liberals that Irish legislation should be conducted according to Irish ideas, and that Irish Members should be consulted; but no sooner had the great Liberal Party, which was so liberal out of Office and so weak in, come into power, than their first and greatest act was to bring in a Coercion Bill. The Bill was to protect unjust rights unjustly exercised by a small body of landlords. There were a mere handful of good landlords in Ireland who had carried out an unjust law justly and equitably; but many hundreds of them who, having the power of eviction, had exercised that power in a manner to engender natural contempt for all law in Ireland and for those who administered it, as well as for those in whose interest it was administered. If the titles of the mass of the landlords were examined by the light either of justice or equity they would be found invalidated. But this sop to the Cerberus of landlordism was well understood in Ireland, and the Bill was well understood by the Irish people. When the lachrymose Chief Secretary introduced the Bill he had trusted to statistics, forgetting the dictum that "statistics were as delusive as facts, and that anything could be proved by them;" and his statistics, when examined, were found utterly untrustworthy, many of the so-called crimes being no crimes at all, while the threatening letters, when not foolish, were written by landlords' agents and officials to create the feeling which the Chief Secretary had done so much to maintain both here and in Ireland. He should not object to see crimes severely and summarily punished; he should also like to see outrages put a stop to; but with 30,000 troops and an army of Constabulary in Ireland the Government could surely have carried out the ordinary law, and crimes and outrages would have been put down, because the Chief Secretary said all along that the police could put their hands on those who committed them. The Bill was said to be aimed at Fenianism; but he did not believe there was any such amount of Fenianism either in Ireland or in England as would justify such a course. Young men in Ireland had had sufficient experience to learn to trust to strong and thorough Constitutional agitation and organization. There was no general desire to overturn the power of England in Ireland. The only general desire was that Ireland should not be governed by laws different to those which obtained in England, where legislation was in the interest of the majority of the people, and not of a single class. It was a great injustice to make the allegation that a great Fenian organization was in operation; and he hoped it would never be the fate of a Liberal Government to drive the Irish people from the Constitutional platform. He had faith in the English people, and in many of Her Majesty's Ministers. If they had adhered to the principles enunciated before the Election they could have calmed and pacified Ireland, and have allayed the crimes and outrages at which the Bill was aimed. If a good Land Bill had been first introduced that would have calmed and pacified Ireland; and if that became law it would do much to pacify Ireland and make some amends for the Coercion Bill. That Bill was said to be aimed at the Land League; but he believed that organization, of which he was a member, though not a very active one, would continue to advocate firmly and Constitutionally a thorough and a revolutionary reform of the existing Irish Land Laws. He had no hostility to England or to the English people, with whom he had been brought up. All he desired was that Irishmen should have similarly free institutions, have the selection of their own officials, and the management of their own local business. In the name of the Land League he protested against a Constitutional organization being put down, especially by a Liberal Government. Too much power was given by the Bill to the Lord Lieutenant, who was a mere machine in the hands of permanent officials. Dublin Castle should be swept away and replaced by a Representative Government. That House should have some power of curtailing the arbitrary power thus conferred. As it was, it would never content or pacify Ireland, though a good Land Bill might. The present measure was merely treading in the footsteps of old Whiggery and Conservatism. He must confess, however, in saying that, that what little aid the Irish Members had received in opposing this tyrannous measure had come from some noble-minded men of the Conservative and of the English Radical Party. The Ministry contained some good men, but included some abominable Whigs, who had ruined the Liberal cause in Ireland. He protested against the measure because the experience of past times had shown it to be a false one, which would never bring content to Ireland, while it was an abnegation of all Liberal principles.

SIR WILLIAM HARCOURT: Sir, the hon. Member for Longford (Mr. Justin M'Carthy), in his very moderate speech, deplored that upon him had fallen the hard fate of opposing, in its last stage, this Bill. He said he did so in the absence of the natural Leader of the Party with whom he acts. He, however, did not give us an explanation of the absence of that hon. Gentleman. I observed a speech the other day, in which the hon. Member for the City of Cork complained that you, Mr. Speaker, I think he said, had only allowed him, in the course of the discussion on this Bill, 20 minutes in which he could explain the reasons why he opposed it. Well, Sir, why is he not here to-night to take advantage of the opportunity in which he might, as Leader of the Party, have stated his opposition to the Bill? My hon. and gallant Friend the Member for the County of Cork (Colonel Colthurst) has suggested that it is possible the hon. Gentleman is finishing his studies in the art of Constitutional agitation at the feet of the Gamaliel of *La Lanterne*, in Paris. The hon. Member who spoke last but one (Mr. Dawson) said that religious considerations ought not to have been introduced into this matter. Sir, I have nothing to do with the religious considerations of this question. The question which is raised by the people who openly and avowedly ally themselves with men like M. Rochefort is not a religious question, but a question which goes to the foundation of society. They are alliances with men who have been convicted as members of the Commune, and who, whether justly or not, were so convicted at all events. If I remember rightly, M. Rochefort was the man who recommended the burning of the house of M. Thiers. How, then, talk about "religious considerations" when the public mind was scandalized by transactions of this character? The hon. Member for Longford, in a good-humoured way, alluded to some remarks which I made the other night, and he said—"Oh, the Home Secretary is very much frightened by letters that he reads in American newspapers. What have letters in American newspapers to do with these matters? How are we responsible for statements of that kind; and what has the present state of Ireland or this Bill to do with those assertions to which the Home Secretary referred?" Now, I will endeavour to explain to the hon. Member for Longford how I think the matter has a very pertinent bearing upon this Bill. I quoted some observations from a paper which I had not with me then, but which I have with me now, by a person of the name of Devoy, and the hon. Member for Longford says—"What have we to do with the sentiments of Mr. Devoy?" Now, I will tell the hon. Member for Longford, who has informed us that he is himself only a recent member of the Land League. But perhaps I know a little more of the history of the Land League than the hon. Member for Longford; and I would like to explain to him who and what Mr. Devoy is, and why I referred to his sentiments as having a very material bearing on that question. Now, I find that in May last year, not 12 months ago, a Land League was established in America, very much on the principle of what in our military system we call "linked battalions." And who founded that Land League in America? It was founded by the hon. Member for Cork City (Mr. Parnell). I have in my hand a newspaper of the 7th of May, containing a report of a meeting for the foundation of the American-Irish Land League, and upon that occasion there was present, amongst other people, Mr. Devoy. The report of the meeting of this provisional committee says that—

> "After a thorough discussion, it was decided that an Irish Land League should be formed in the United States for the purpose of rendering moral and financial aid to the Irish National Land League in Ireland."

[*Home Rule cheers.*] Yes; and now I am going to explain to the House what is the moral aid which they offered to the Irish National Land League. What the financial aid is we know. I saw in the papers this morning that the Irish Land League had at its last meeting announced, I think, £1,300 odd of subscriptions, of which £300 was gathered in Ireland and £1,000 by this organization in America. Now, it is very material to show the House that this is very pertinent to the point I alluded to, and to which I am going to allude again. Now, this Committee held several meetings, and at the final meeting the names of the gentlemen suggested by Mr. Parnell were unanimously selected as a provisional Central Council of the Irish Land League of the United States, and one of the principal members was Mr. Devoy. That is the origin of this American Land League. [Mr. A. M. SULLIVAN: Who suggested Mr. Devoy's name?] Well, I think I will show you presently, if you allow me to go on. The provisional Council having been so established, they proceeded to assemble in convention, and then there are mentioned many of the leading members who took part in the proceeding, one of those leading members being Mr. John Dillon, Member for Tipperary. Next to him comes Mr. John Devoy, and Mr. John Devoy called upon Mr. Dillon for a speech, so that Mr. John Devoy is one of the leading partizans in this affair, and thereupon Michael Davitt arrived in a Cunard steamer, and appears upon the scene. Therefore, we have the Irish-American Land League, founded under the auspices of the well-known names of Parnell, Dillon, Davitt, and Devoy, and here they are all in action together on this occasion. And here I come to another meeting on the next day on this subject, and Mr. Michael Davitt, the originator of the Land League in Ireland, entered the hall and was greeted with "enthusiastic applause," and then Mr. John Devoy got up and proposed a central treasurer. I just read this for the purpose of showing what the Irish-American Land League is—that it is an affiliated society, acting under auspices formed by the same people, working together from that time to this with the Land League in Ireland, who coo like sucking doves here, holding very different language in a country where the law cannot reach them for offences of this character. Now, I say that the language of the American Land League is the language, therefore, of recognized and authorized allies. It is a very different language, it is true, to what is held here. Objects are avowed by the Irish Land League of America which are secretly practised in favour of the Irish Land League here. Of course, some objects are not avowed — it would not be safe to avow them. There is in these matters an exoteric and an esoteric language. The exoteric is the language of America, and the esoteric is the language used in this country. They are very different; but I very much fancy that they mean exactly the same thing. I have shown you, at all events, that when I referred to the language of Mr. Devoy the other day, I was not referring to the language of a man with whom the Land League in Ireland or America can say it had nothing to do, Now, I should like very much to give the House chapter and verse, as they might think that my memory was defective, and that I had exaggerated what was the character of the speeches made by this affiliated and recognized body, of whom the leading members of the Irish Land League were the founders; and until I am corrected by authority, by somebody who says that the Irish Land League repudiates the American Land League—until they will get up here and say they repudiate that body from whom week by week they receive this money and these subsidies—and I may say they are entitled to repudiate the language of the leaders of that body—until they do so I consider myself entitled to read the language of the leading members of the American Land League. And here it is, and it is headed—"What John Devoy says"—Irish National Land League, It goes on—

"The usual meeting of this branch of the Land League was held in their hall, January 16."

That is of this year. I will not read the whole report, but one of the speeches.

"Mr. John Devoy entered the hall, and was received with marked applause."

Then he says, speaking of the passage of this Act,—

"It is then that the people, goaded into frenzy by studied injustice, may rise against some constituted authority. A local eviction, a collision with the soldiers may ensue, and our people be shot down in multitudes."

That language might be applauded; but the speech goes on—

"It is here that the office of the American Land League will be called into requisition."

Now, this is the moral aid for which it was brought into being, and that it was to render to the Irish Land League. The speech continues—

"Will we, then, stand idly by, and see our people and country devastated, and content ourselves with enthusiastic resolutions and sympathies? Our aid has hitherto given the people the impetus that has brought about this state of things."

That is the financial aid.

"Shall we desert them in their hour of peril? No; for every Irishman murdered we will take in reprisal the life of a British Minister."

Then there is a sort of arithmetical progression.

"For every 100 Irishmen murdered we will sacrifice the lives of the entire British Ministry."

That is 100 lives for 14.

"For every 200 Irishmen killed we will reduce to ashes the principal city of England. For a wholesale massacre of the Irish people we will make England a smouldering ruin of ashes and blood. The receipts of the Land League are now £100 per day, and that is ample for their wants; but we want a fund which will aid us in carrying out the designs that I have already sketched for you."

Now, that is what Mr. Devoy says. Mark those words—

"We want funds here that will aid us in carrying out the design that I have already sketched for you."

I say nothing of the destruction of the Cabinet. That is a very inferior matter, because a Cabinet can be replaced; but when you have destroyed a powerful city it is not so easy to replace that. That is the design sketched out by the leaders of the American Land League, for which they want funds. I said something the other day about the Skirmishing Fund. I know a great deal about that Fund—a good deal more than probably the hon. Member for Longford does. The other night when I mentioned it, the hon. Member for Wexford (Mr. Healy) showed that he knew something of it, because he said that the Skirmishing Fund had ceased to exist, or at least had become respectable in its character. In the first place, it has not ceased to exist. It is this Fund that is here referred to, the Fund for carrying out the objects which Mr. Devoy has sketched. That is the Fund that is being subscribed for by those people in America. In another part of this same paper a reference is made to the Skirmishing Fund. The hon. Member for Cork City calls the affair at Salford a practical joke. Yes, Sir; it is for practical jokes of this kind that this Skirmishing Fund which Devoy and others collect is employed, for it is so avowed and boasted in those papers; and it is said—

> "Subscribe to the Skirmishing Fund; it is worth your while; you see you are having your money's worth; you have had the affair at Salford for it."

A letter in this paper, dated London, reads as follows:—

> "Look at those paragraphs from the London morning papers. The fire which destroyed the Edinburgh County Militia Barracks was purely accidental. In the House of Commons last night, in reply to a Question, Mr. Childers said the Government were well aware of the circumstances in which they were placed and were taking all proper precautions. That shows me that someone is striking our enemy with the Skirmishing Fund. Enclosed find my second monthly subscription of one dollar.—Patrick O'Connor, Broadford, Clare."

Then a reference is made to the precautions taken with regard to Volunteer arms, and the comment upon that is "All right." What does that mean, but that this Fund is subscribed for these very objects, and is used for these objects? Men like Devoy have their emissaries, both in England and Ireland, who are held down only by the strong hand of the law. Let us tear off the mask of this conspiracy and unveil its secrets, so that the country may understand what is the character of the conspiracy which they have to face. It was on the 16th of January that Mr. Devoy's speech was made. On the same day there was a speech made in Ireland—not in the same language, not quite so frank in its avowal; but it referred to future contingencies. It said—

> "If your patience becomes exhausted by Government brutality, and every right, privilege, and hope which is your God-given inheritance be trampled down by vindictive power, the world will hold England, and not you, responsible if the wolf-dog of Irish vengeance bounds over the Atlantic."

That is from the speech of Michael Davitt, made on the same day as the speech of Mr. Devoy. What was the meaning of the "wolf-dog bounding across the Atlantic?" Did "wolf-dogs in America" mean men like Devoy and others, who were holding that language, and who were collecting money for the purposes which were there described? Or else what was the meaning of the statement that the wolf-dog would bound over the Atlantic in vengeance? The hon. Member for Longford says I have gone over to America for the illustration, and so I have; but I ask, under these circumstances, when you find these affiliated associations playing into one another's hands; when you find the American Land League sending its money to the Irish Land League; when you find the identical language of horrible and atrocious menace being held by men on both sides of the Atlantic at the same time—I ask you whether I have not a right to look at this, and whether I have not a right to ask this House for protection to society against such transactions and such language as this? I could—but I will not weary the House by reading language even more atrocious than that to which I have referred—I could refer the House to the language of a man of the name of Redpath, who made a speech.

Mr. A. M. SULLIVAN: An Englishman?

Other hon. Members: A born American.

Sir WILLIAM HARCOURT: An American. Very well, the hon. and learned Member will be able to tell me whether he approves his language or not. Mr. Redpath says—

> "Many of you may think me prejudiced when I say that the Scotch Presbyterians are superior to you; but when they were oppressed by landlords they shot them down like rabbits. About 30 years ago there were more landlords shot than rabbits. I think that was perfectly legitimate, seeing that the landlords were only beasts of prey."

Does the hon. Member for Cavan approve of that language? [Mr. Biggar: Ask the Scotch Members.] Then he goes on to say—

> "In Catholic Mayo, where a Protestant cannot be found now-a-days, a minister represents them in Parliament, and a Protestant—Charles Stewart Parnell—is their leader. I must say right there that Irishmen are cowards."

He could not be an Irishman if he said that.

> "Now you will like to know why I say they are cowards," he said—"Why I don't like them to apologize for the shooting of landlords." And then—this is the account of the meeting—"at the close of the speaker's remarks, Mrs. Parnell, the mother of the great agitator, was loudly called for, and received a perfect ovation when she appeared. She spoke for upwards of 20 minutes, and gave a brief review of the work of the Land League."

So you see that the language of the Land League in America, affiliated with the Land League in Ireland, is, perhaps, of a rather more highly-coloured character than that which we have heard to-night, or even at the meetings of the Land League in Ireland. Gentlemen on the opposite side say they do not know about Mr. Redpath. Unless I am mistaken, he was a very active agent of the Land League in Ireland. That only shows that the parties are interchangeable, and that we may expect visits any day from the gentlemen who make the speeches in America, and who may come over to Ireland. This Bill is intended for these gentlemen should they come over. It is intended also for the emissaries whom they subsidize and pay here. It is intended for the men whom they secretly hire to commit assassination, incendiarism, and outrage. It is against men who are the enemies of all society—against men who, whether connected with the American Land League, the Irish Land League, or any other party, use such language and avow such objects. The Bill does give extraordinary powers. It gives extraordinary powers in order to save society from atrocious crime; and, if there be men who entertain such sentiments as those I have read to this House, it is the duty of this House, it is the duty of this Government, and it is the duty of this nation to stamp upon them as they would upon a nest of vipers.

MR. A. M. SULLIVAN said, the Bill had been for six weeks before the House; and, judging from the conduct of the Government in those weeks, it was clear that if it should be before them for six weeks longer the Government would show as many more changes of front. The latest excuse for the Bill had just been heard from the Home Secretary, an excuse which was quite irreconcilable with the nine or ten which had preceded it. At first it was said to be impossible to procure evidence of acts committed in Ireland in the night-time by village ruffians, whom the police could not see in the darkness, and on whom their confederates would not inform. The First Lord of the Treasury, however, with melodramatic voice and gesture, broached a new theory, and told the House, pointing to the Benches occupied by his Colleagues, that the Government knew the men whose actions rendered the Bill necessary. The right hon. Gentleman said it was a singular fact that as they held meetings their footsteps were dogged with crime, and that as the meetings were held, in the same week agrarian crimes increased. In that month, however, there were Cabinet meetings held, and he contended it was also equally a fact—though whether they traced the connection was another thing—that the meetings of the Cabinet had been attended with an increase in agrarian crime. He referred to this fact because prominent English politicians, once Ministers of the Crown, on the responsibility of their public character had perceived, or pretended to perceive, the same concurrence between the Cabinet meetings and agrarian outrages. He called upon Mr. James Lowther to bear witness to that fact. The Prime Minister discredited the Chief Secretary's story; but then they had a fresh excuse. Throwing off the mask of kindliness, the Chief Secretary avowed that he wanted the men who published certain newspapers in Ireland brought before him. But was it not preposterous and ridiculous that a man should be sent to prison on suspicion of publishing a newspaper? That night the Government had come to the conclusion that all their shifty stratagems and miserable inconsistencies were discredited in the minds of the people, and they had, therefore, put up the Home Secretary with a new story, in the background of which there stood a monster named John Devoy. The right hon. Gentleman closed his speech with a defence of religion and society, as a pious friend of Church and State, trembling lest any British politician should have lot or part with Continental Revolutionists. This was a startling retrocession for the Liberal Party. Who were the friends of Mazzini? Did the right hon. Gentleman never hear of Lord Ellenborough, who called for 1,000,000 muskets to put into the hands of the carbonari of Italy? Or of the part Earl Russell played on behalf of the Revolutionists of Europe in his day? Once these extreme Radicals got off the Treasury Bench, and the hated Tories were there, how they would thunder against Continental despots, and bless the new Mazzinis and Rocheforts. It did not lie on the lips of those who fêted Garibaldi to reproach anyone for communing with Garibaldi's colleague. Were hon. Members opposite ashamed of their sympathy with Garibaldi? [*Cheers.*] Then this was only one further instance of the Treasury Bench not representing the views of its supporters. With regard to the story of Mr. John Devoy and the Skirmishing Fund, he contended that the Government had known of the existence of this Fund for the past five years. This Fund had been collected in New York for the purpose, amongst other awful things, of purchasing some chemical compound which was to be thrown upon the floor of the House with the intent of destroying all the Members before they had time to escape. The former Home Secretary had known all about that Fund, and its pretended object; but he had not come down to the House, and endeavoured to terrify hon. Members with that story, although he was as severe a man, and as loyal to his Sovereign as the present Home Secretary. There were men in Ireland who had heard it all. Her Majesty's Minister at Washington heard it all, and the responsible Ministers of the Crown in England and Ireland knew of it. What view did they take of it? They laughed at it as sensible men in Ireland did. What did Her Majesty's Ministers do during the years that this Skirmishing Fund was being collected? Nothing. They took the view of it that was taken by the people of Ireland—that it would be unworthy of a great Power like England to say that the machinations of these men were putting the Crown into such danger as to warrant a Minister of the Crown to come to the House and gravely make a proposal on the subject. It would be long remembered with deep regret by many Gentlemen sitting on the Ministerial side of the House that that which a Tory Ministry had deemed unworthy of notice should have been reserved by the Radical Ministry as a pretence for an attack upon the liberties of the Irish people. If Ireland was to be scourged for the offences, real or imaginary, of a few such men as John Devoy in America, it would be well that the fact should be known as widely as possible. It was English misgovernment which had manufactured this combustible material which was stored in America. When Irish landlords were clearing their estates, and making outcasts of thousands, Irish Members told the House that those men were going to America with hearts burning with hatred of English misgovernment, and that the English Government had not heard the last of them. *The Times* said they were going with a vengeance; but those who knew the facts knew that the removal of those men from the soil of Ireland was not a benefit, but would be a future peril to England. The records in *Hansard's* volumes told them that in 1862, 1863, 1864, and 1865 the Irish Members were scoffed down by an impatient House when they attempted to give a warning of the result of what was going on, telling the House, in the language of one of themselves, whose sincerity, however, was very much doubted now—"Force is no remedy." "Force is no remedy," said this Minister of Her Majesty's Government; and yet he came hot foot from Birmingham to pass a Coercion Bill. That force was no remedy they had often been told by John Francis Maguire, Patrick McMahon, and George Henry Moore; but those hon. Members were treated as madmen, and scoffed at by the Treasury Bench. The Home Secretary told them that John Devoy had published a letter in which he stated that for every one of his friends arrested a Minister of the Crown should be assassinated. Did the right hon. and learned Gentleman himself feel in danger of being assassinated? Certainly not. He laughed to scorn the threat of the assassin. He thanked the right hon. and learned Gentleman for the assurance given by his gentle gesture, indicating that he did not. Did the right hon. and learned Gentleman, then, wish the House to believe that he was in danger of being assassinated, while, in his own mind, he was not in the least degree frightened? Was it the Chief Secretary who was alarmed at the idea of a bloody uprising? No; the Chief Secretary had a John Devoy under his hand in Ireland, and had extended to him his protection, shelter, and connivance. Assassination was recommended in other quarters by way of a political reprisal. He held in his hand a statement, not by John Devoy, but by a friend of the Chief Secretary. He could not give to it the artistic touches which the Home Secretary gave to the utterances of John Devoy; but the speaker, a Protestant clergyman, addressing a public meeting attended by many thousands of persons in the North of Ireland, stated that—

> "He saw some police present, and he was glad to see them, and hoped they would take a note of every word he was going to say. Let them organize among themselves a Protestant National Society, like the Protection Society; and for every Protestant shot in cold blood let the

> priest of the parish and the Home Rule Member be assassinated also."

He (Mr. Sullivan) wished to know, before he read further, in what school of religious thought he was to find the distinction between the assassination of a Minister of the Crown and the assassination of a Roman Catholic priest—in what school of religious and political morality he was to find a distinction between shooting the Chief Secretary and murdering the Home Rule Members for an Irish constituency? This abominable language was used in October last, and the appeal which was made to the Government to take notice of it was made in vain. He believed the House would agree with him in this, at all events, although they might differ from him in everything else—that if there was anything more hateful than a political war it was a religious war. Hateful it was when they took, in civil war, to slaughter one another; but there had not been in the world crimes more deep or black than the war and bloodshed which had stained Europe in the name of religion. When, then, he saw this attempt to light up in Ireland, among the excitable people of that country, the flames of a hateful religious war, he could not too strongly denounce it. For every three priests shot in Ireland there might have been six Protestant clergymen assassinated; and thus this devilish work of retaliation would go on. Feeling this, an appeal was made to the Chief Secretary whether this public incentive to assassination was to pass unpunished. What official notice was taken of the appeal? None. What was dreadful in John Devoy was connived at in the case of this Protestant clergyman. To the honour of that distinguished Ecclesiastic, the Protestant Bishop of Down, he did what the Chief Secretary would not do. He took notice of this unpunishable incentive to murder, and he called on the clergyman to retract; but the man shuffled and declined, and said he would retract the language as towards the Bishop, but not as towards anybody else. The last letter of the Bishop did him honour as an Ecclesiastic and a Churchman, and he (Mr. Sullivan) thanked him for it. The right rev. Prelate had declared to this minister that he strongly condemned the manner in which he had held out the cowardly incentive of shooting innocent persons. This Protestant clergyman went further, and pointed out that it would be unfair to shoot only one priest in reprisal, adding that surely the life of one Protestant was worth that of five Romish priests. On this occasion, the ravings of John Devoy had been trotted out and paraded to the House in order to terrify them into passing a Coercion Bill. The Chief Secretary knew that he (Mr. Sullivan) was no advocate of assassination. He had only referred to the case of the Protestant clergyman because the Government had refused to have him punished, and because his language might produce most deplorable mischief in Ireland. But the Chief Secretary condoned the outrage, and had only taken steps to direct a prosecution against certain Members of the House of Commons, and had narrowly escaped having an acquittal flung at his head by the disagreement of the jury. Someone had attempted to excuse the Protestant clergyman by saying that the words were used in the heat of a public meeting. But the man himself said—

> "Allow me to say the words were not uttered on the impulse of the moment, but deliberately and advisedly."

It was a direct challenge to the Irish Government. Why had they not taken it up? After such language from a Protestant clergyman, what became of the raw head and bloody bones of John Devoy? In America the Land League movement seemed to have been projected by his hon. Friend the Member for Cork City (Mr. Parnell) entirely on his own design. He (Mr. Sullivan) was not consulted about it. His hon. Friend usually took his own course, although he (Mr. Sullivan) could have told him that his eclectic idea of gathering in America the men of extreme views, the men of moderate views, and the men of less moderate views, as patriots in one common Party, was impracticable and dangerous. He was only acquainted with what his hon. Friend had done in America from the public Press. He had never, either by letter or speech, communicated with his hon. Friend upon the subject; but he presumed that he had entertained the idea of bringing individuals in America who had originated the Skirmishing Fund by Constitutional methods to the support of the Land League in Ireland, and certainly with no idea of resorting to reprisals in the fashion of the Rev. Mr. Kane. The right hon. and learned

Gentleman the Home Secretary did not tell the House that for one of the men of this stamp in America there were seven who repudiated the doctrines of Mr. John Devoy, Mr. Stephens, and other extreme men in that country; but as John Devoy had been unconverted by the present Land Leaguers, he chose to fall back upon his original idea, now five years old, of laying London in ashes. He would pass from this story of Devoy, only regretting that a responsible Minister of the Crown should have lent himself to such a use of it. And, now, with these observations, his (Mr. Sullivan's) last word would have been said in regard to this weary Coercion Bill debate. He recalled with some satisfaction that in the first words he uttered upon this painful subject he foresaw what was about to happen, and he had said that while yet he could speak calmly, and before they had entered into a combat, in which friendships would be sundered, he wished to pay a tribute to the motives which, he had no doubt, would animate many hon. Members who would steadily vote against him and his country in these divisions. To-night, looking back upon all the period which had been spent in such fierce contention, he claimed to have done his duty by his country, and by the people who had sent him there. From the first hour in which he saw the character of this Coercion Bill—from the first moment he found that Her Majesty's Government did not intend to accompany it by their measure of redress—he decided, although not without some pangs, but yet with firmness, that he must sacrifice everything in that House in order to resist the passing of the Bill. If he had obtained, in no matter how small a degree, he would not say a position, but some place in the kindly indulgence of the House, he knew he was about to forfeit it. If he had, among hon. Gentlemen opposite, as he then had, political and personal friends, friendships which he had formed during the six years he had been a Member of the House, he knew that he was about to be separated from them. But he had never wavered for a moment. He could not "hold with the hare and hunt with the hounds." Painful as it might have been to him to oppose a Ministry which came into power with the best wishes of his heart; believing, as he did, that they were likely to do much good for Ireland as well as for England; he felt that he must do his duty, disregarding all consequences. But this he would say, that if the Government, when it brought in a Coercion Bill, had put an Irish Land Bill on the Table, instead of introducing their measure of coercion without a word of justification or explanation in connection with remedial measures, or even allowing the Irish people to guess what the measure of relief was to be, they would have done something to have broken the shock of this legislation. But instead of laying their Land Bill on the Table, they called upon the people of Ireland first to kneel and strip their backs to the scourge, and then wait patiently until the Ministry, in their pleasure, would tell them what they intended to bestow. It was this fatal and disastrous error of the Government that had induced him to assume the attitude he had taken in all these divisions; and he had told his comrades, who had often blamed him for what they considered the too great moderation in which he spoke of the shortcomings of the Government, that in this fight he would always be found in the forefront, resisting, with all his power, the passing of the Bill. He thanked the House for having listened to these words of explanation, and for having afforded him an opportunity of reviewing all that had passed in the course of this struggle. If in any of those scenes he had said anything that had transgressed the bounds of legitimate conflict he was sorry for it; but for Ireland he felt that he had only done his duty. He believed that the six weeks of respite they had had would have broken the shock of this legislation, and that while, if they liked, the wicked might have fled, at all events, the country had had time to measure, not in panic and alarm, the character of the present measure. His most ardent hope and desire was that the breathing-time which their determined stand had secured would enable Irishmen to see that, by keeping within the lines of Constitutional action, they might trust firmly to such protection as their Representatives in that House might be enabled to command, and that, if necessary, they were prepared to dare even the perils of the prison, as their fathers had done before them, in the defence of their country's liberties.

MR. HOPWOOD said, he did not yield to his hon. and learned Friend the Member for Meath (Mr. A. M. Sullivan) in passionate feeling for the welfare of Ireland. ["Oh!" *from the Home Rule Benches.*] He was quite content that unbelievers should express their aversion to this statement, and, in making it, he only intended to use it as a foundation for the few remarks he desired to offer to the House. He looked upon his hon. and learned Friend as a fair type of the Irish Members, with whom he should like to hold commune, and with whom he should like to agree in concerting measures for the good of Ireland. He took his hon. and learned Friend as a type, and he looked upon him as a man feeling the necessities of his position and knowing the difficulties by which he was surrounded. He took this test as applied to the action of his hon. and learned Friend in the matter—that there was no man who would with more indignant scorn denounce the acts in Ireland of the men against whom this Act would be directed when it became law. There was no man more capable, in point of generous feeling, of denouncing that action; and yet what was the attitude of his hon. and learned Friend? He said—"You should not pass a law to restrain men from committing these acts." Why did his hon. and learned Friend feel bound to say so? Because of the difficult position in which he was placed by the Party with whom he was acting. It had been the most painful hour of his (Mr. Hopwood's) short political existence to have been brought to this extremity, that he felt himself bound to assist in the passing of a Coercion Bill for Ireland, and to appear to be a defender of those who had undoubtedly exercised their rights with harshness and severity. But he could not deny that acts had been committed in Ireland which Englishmen were bound to put an end to, and for which Irishmen must be punished. His hon. and learned Friend could not deny that. Anyone who listened throughout to the candid speech of his hon. and learned Friend, and to the forensic skill with which he sought to parry the attacks of the Home Secretary, would find in it, from first to last, not the slightest attempt to deny that there had been acts done in Ireland, and done in large numbers of instances, in regard to which his hon. and learned Friend was ashamed—[Mr. BIGGAR: No, no!]—which he had denounced, and of which, at the present moment it seemed, the hon. Member for Cavan (Mr. Biggar) was the only defender. If that were so—[Mr. BIGGAR: There is more crime in England.]—that plea had been constantly urged, and he would examine it. "There are not so many cases of crime as in England," said the hon. Member. Quite true; but there were not so many people in Ireland as in this country. No one had ever sought to compare the existence of ordinary crime in the two countries, either in total or even in average. The real question was, whether in Ireland, in regard to which hon. Members opposite asserted, and he believed with truth, that it was the least prone naturally to crime—the real question was, whether in Ireland there was not an extensive and unnatural crop of the particular crimes against which this Act was levelled? That was the only real comparison that could be drawn, and the only true test. He defied any Irishman to deny that he was ashamed of the state of things existing in Ireland. These exceptional crimes were committed in very large numbers, and Englishmen were obliged, with drooping heads and, in some degree, with shamed faces, to retrace their steps in political progress, in order to provide a remedy. That they had found a remedy his hon. and learned Friend candidly admitted; for the rats, the scoundrels, and the ruffians were leaving the country. The very presage and warning given by this Act had driven them out, and he was sure there were hon. Members on the Home Rule Benches who were as glad they were going as hon. Members were on that (the Liberal) side of the House. Certainly, he (Mr. Hopwood) personally was glad. At the same time, he was sorry that during these debates—and they had been many, although he had listened to them patiently, and had heard from some quarters a defence of the proceedings which had taken place—he had but too seldom heard the same generous denunciation of these Acts which had been just made by his hon. and learned Friend. If a different course had been taken, he was persuaded that there were many on his side of the House who might have been converted. But they had heard, even when murders had been spoken of, hon. Gentlemen opposite, he believed thoughtlessly, and not with inveterate hatred or a cruel heart, laugh and jeer. He should have thought that the ordinary promptings of humanity would have prevented any hon. Member from manifesting a desire to palliate such dreadful outrages, by setting them at naught, and making a laughing matter of them. His hon. and learned Friend found fault with the Home Secretary, because he read certain passages from the speeches of a Mr. Devoy. His hon. and learned Friend said—"You have a minister of religion among you—a Mr. Kane—who is quite as bad." He (Mr. Hopwood) admitted that Mr. Kane's vapourings were atrocious; but he did not hear his hon. and learned Friend say that the speeches of Mr. Devoy were similarly atrocious. On the contrary, he understood him to argue that both were equally defensible. [Mr. A. M. SULLIVAN: I said that both were to me abhorrent.] If his hon. and learned Friend had omitted to do so he should not have pressed him too hardly upon the matter, for he was sure he (Mr. A. M. Sullivan) would not desire to characterize these utterances by any other language. The hon. and learned Member asked why Mr. Kane was not punished. He was a lawyer—would he say under what law he could have been punished? [An hon. MEMBER: Under this Act—for sedition.] Perhaps Mr. Kane might be dealt with under this Act; but, in regard to the question he had just put, he knew that his hon. and learned Friend could not answer him. The vapourings of a madman—of a wicked madman if they would—unless they took the form of a positive act—unless they suggested something beyond mere rant—in fact, the ground work of conspiracy—were difficult to reach by the law. Our laws had been exceedingly tolerant, and he had no wish to see them made more stringent, and if he was supporting this one, it was only on special considerations suggested by the exceptional condition of Ireland. But Mr. Devoy was in a very different position from Mr. Kane. This Skirmishing Fund, referred to by the Home Secretary, his hon. and learned Friend (Mr. A. M. Sullivan) told them had been in existence five years, and yet now it seemed that the Land League, a new society, was seeking to graft itself upon it. ["No!"] He was glad to find that there was a sufficiently spirited feeling among some of those who represented the Land League to repudiate the suggestion. Let it go then to America and to all parts of the world, that in this British House of Commons the representatives of the Land League repudiated the agitation got up in America for conveying funds across the Atlantic to subsidize and fee persons engaged in the dissemination of these abominable doctrines. He was sure that his hon. and learned Friend could not fail to see that the recognition of Mr. Devoy was connected with the evidence of a widespread conspiracy proceeding from America, to disturb our laws, of which the reflex action and the echo were found in this House, which, as a deliberative Institution, was being utterly destroyed by the acts and the bearing of a small minority. His hon. and learned Friend had referred to Garibaldi and others. He was sure that when such a name was mentioned, it was only for forensic effect, and that the hon. and learned Member really, with his whole heart, despised the argument he sought to deduce. If there was any man in that House who had sympathy with Garibaldi, and the freedom which he brought to other nations, surely it was his hon. and learned Friend. [Mr. A. M. SULLIVAN: No, no!] Well, for the purposes of debate, they would admit it was not so. They were, at last, at the end of six weeks, coming to this, that a deliberative Assembly, which, at an earlier period, gave evidence of its feelings and conviction, had now been slowly allowed to arrive at the last stage which was necessary before it could place those feelings and convictions under the sanction of the law. Hon. Members opposite had continually delayed, deferred, and resisted this measure; and, with all respect for them, he must take this opportunity of protesting against their action. ["Oh!"] It might be a very small matter what he thought. He knew it, and he bowed to it; but he was bound to say that there were a great many persons who thought like him, and who deprecated the small policy of this headless Party, the head of which was sometimes somewhere and sometimes nowhere, and seldom in his place. With that policy, his hon. and learned Friend did not disguise that he had frequently been out of harmony; he had not been always able to sanction it; and he admitted that it had frequently placed both himself and his Party in the wrong. He (Mr. Hopwood) thought it might be seen, throughout the speech of the hon. and learned Gentleman, that he had been frequently obliged, in some degree, to disengage himself from his Party. [Mr. A. M. Sullivan: I said nothing of the kind.] He would remind the hon. and learned Gentleman of what he had said. He had said something of his moderation in receiving the adverse criticism of those about him, and had mentioned matters in which his conduct had not received the approval of his Friends. But he (Mr. Hopwood) only knew this, that even the errors of the Land League were never mentioned by those who were supporters of it. He knew that many able men, equally with his hon. and learned Friend, had disengaged themselves from its policy, and had only—and here he recognized the generous impulse of the hon. and learned Member—thrown themselves in with the lot of the Party when they felt that there would be an imputation of cowardice upon them if they did not share the imminent ruin or the mischiefs which might impend. In considering the observations of his hon. and learned Friend thus critically—and he thought he understood him—he was entitled to take the absence of his approval of the policy pursued by the Land League as the strongest argument he could use for its repression. In parting with this Bill, he felt that there were many things which were mournful about it. He himself, and all of them, would gladly have done something to soften parts of the measure, had not the power been taken from them; and that statement he would put forward anywhere, before an English or an Irish audience. He would put it before even the most unfavourable specimen of an Irish audience he ever could meet with—and that was to be met with in that House. In saying this, he did not wish hon. Gentlemen opposite to suppose that he meant anything personal. He only meant that as far as the poles were asunder, so far was his opinion, he supposed, from that of hon. Members opposite at this moment. He hoped and believed that the right hon. Gentleman the Chief Secretary would administer this law with mercy. He trusted that they all, wherever they sat—whether above or below the Gangway, on his own or the opposite side of the House—would deprecate any exhibition of harshness in the treatment of unfortunate men who might be driven into prison by the acts of others, or through the misguided advice that might be tendered to them, or the promptings they might receive from America or elsewhere. The right hon. Gentleman, he hoped, would make the Bill a terror to evil-doers, and would do what he could to put down those who incited others to do wrong, those who wrote inciting articles of a cruel and wicked kind, and those who came over from America to disturb the peace and to disturb our institutions with utter recklessness as to the safety of the lives and fortunes of those who lived in Ireland. The course and aim of all in that House had been to vindicate the institutions of the Kingdom which had been so rudely assailed.

Mr. JESSE COLLINGS said, that from the speech of the hon. and learned Member who had just sat down one might suppose that the House was to be guided on this question, not by the conduct of the 5,500,000 of the Irish men and women, but by the conduct of the Irish Members and the American agitators. The hon. and learned Member only considered the policy of hon. Members opposite, and not the deserts, the wants, and requirements of the Irish people. There was one thing of which he wished to remind the House, of which, indeed, he might remind almost everybody who had spoken on the question in the House. They had heard a great deal about crime and outrage; but he did not think they had heard one single word about the tyranny the tenant farmers had been subjected to—the cause of all agrarian crime. From the Front Bench they had not heard one word of sympathy for the people of Ireland. He remembered that a few months ago, when the right hon. Gentleman the Chief Secretary was bringing in the Compensation for Disturbance Bill, their feelings were harrowed by a description of the sufferings of the poor tenantry for whom protection was being sought. If he (Mr. Collings) protested against the present Bill, it was because the measure protected the lives and property of the strong, but left out of account altogether the lives and property of the most numerous and most helpless. Hon. Members spoke of a panic, and no doubt there was a panic in this country — an anti-Irish panic. He remembered the gladness with which they had hailed the remedial legislation—the unsuccessful, but yet the attempted remedial legislation—of last Session. They had rejoiced to think that there existed in the Liberal Government a faith in the true power of Liberalism to do justice, and to put down agitation and disorder by removing the cause of agitation and disorder. He confessed that when he heard the Chief Secretary was visiting Ireland last year he had expressed some misgivings, because he knew that visiting Ireland did not mean visiting the 600,000 tenants, the 200,000 small poor tenants, but it meant visiting Dublin Castle. He was afraid that there the right hon. Gentleman became giddy, and they were told that "to those who are giddy all the world goes round." This visit to Dublin Castle was, no doubt, the origin of the Chief Secretary's change of policy. He (Mr. Collings) could have forgiven, or, at any rate, he could have looked with some consolation upon this Coercion Bill, if the protection which the poor peasantry required had accompanied it. He could not help repeating to the right hon. Gentleman a question which had been asked over and over again without eliciting any reply—namely, what was to become of the poor inhabitants of Ireland for whom the right hon. Gentleman offered up such words of sympathy a few months ago? The Chief Secretary—whom he did not wish to misquote—had said in words which did him honour—

> "If you do not pass this remedial measure, I fear that the forces of this great Empire will be employed for doing an injustice to the poor cottier tenants of Ireland."

Well, the Bill did not pass, and the necessity for it which existed then would, when this coercive measure became law, be intensified tenfold. The fear of the right hon. Gentleman would be realized, and the forces of this great Empire would be employed in doing injustice to the cottier tenants of Ireland. The right hon. Gentleman should answer and tell them what the lot of those men for whom he had pleaded would be in the interval between now and the time—if ever it came—of the passing of the remedial measures. The Chief Secretary seemed, in his change of policy, to be determined to throw over the weak in the effort to protect the strong. The landlords had again won in Ireland, as they had won often before in the history of that unhappy country. He should be glad, and he had no doubt many Liberals in the House and many thousands of them outside would be glad, when they heard the last of this Bill, for there was an amount of shame attached to it—in the first place, that it should have been brought forward at all; but doubly because it had been promoted without that measure of protection which they had been told was so absolutely necessary in Ireland. Six months ago the present Government were looked upon in Ireland as saviours, and the right hon. Gentleman the Prime Minister was spoken of in every cottage as "that good man;" but now the state of things was such that every Liberal must deplore. The result of the action of the Government was this, that there would never be another Liberal returned there. The action of Her Majesty's Ministers had succeeded—no doubt, somewhat unjustly—in representing the Government as being in opposition to the interests of Ireland, whereas he firmly believed that no Government could be more kindly disposed towards the country. But they saw what the result of a blunder had been. He welcomed heartily the end of this business, and the sooner it could be forgotten and become a dead letter the better. If the Chief Secretary had continued the remedial policy which he inaugurated some months ago, even though he had accompanied it with coercion, by this time every disorder would have been settled in Ireland, and the Government might have been most popular in every cottage. [An hon. MEMBER: So they are.] He did not think their popularity was shown in a very satisfactory manner. But if remedial measures had been proposed on the assembling of Parliament, from every house and every cottage in Ireland would have gone up blessings on the Government, and they would have appeared in the light of dispensers of that peace and contentment which they desired to secure. He simply had to make his protest against this Bill. The measure showed a change of policy, not on the part of the Liberal Party, but on the part of the Government. It was a useless Bill, and would prove disastrous in its effects on the Irish people; and, moreover, it would take away to a large degree the benefits and the grace and pleasure of conferring those remedial measures which he hoped would soon be laid before the House. There was one other matter to which he wished to refer. The Government did not seem to be quite aware of the extent to which they had strained the allegiance of their followers. He did not believe there had been any heart in this coercion matter at all, and was convinced that the Bill had only been accepted on account of the expectation and the assurance of the Government that there would be an ample remedial measure to follow immediately. Let them hope that this expectation would not be disappointed.

MR. O'DONNELL confessed he had enjoyed a rare treat that evening listening to the denunciations levelled at the Irish Party by the hon. and learned Member for Stockport (Mr. Hopwood), and could not help thinking, whilst the hon. and learned Gentleman was making his speech, that he must have changed his constituency as well as his principles. He knew now that, to rally the hon. and learned Member once more to the banners of the Irish Party, there must be a Conservative Government sitting opposite. The hon. and learned Member, who was now so free in his criticism of the Irish ultras, would be glad once more to identify himself with them, and, in season and out of season, to harass and worry for all purposes a Government of his own country, provided that Government was only a Tory one. The hon. and learned Member had indulged in some cheap criticism of the prevalence of acts of evil in Ireland; but could he deny that acts of evil occurred even amongst the virtuous population of Great Britain? The hon and learned Member said, in a tone of triumph—and he imagined that this was a proof of his argument—"The mischief of the Irish situation is that the acts of evil are all of one description; there is an unnatural crop of crime of one particular order." It would be unnatural, indeed, if there were not a number of crimes of one particular order in Ireland—namely, of the agrarian order; and he ventured to say that, if Great Britain was under a similar system of Land Laws, and the people of Great Britain were solely dependent upon the land, as were the people of Ireland, when wholesale evictions were carried out in conformity with the law, they would not see single assassinations committed by the people of England, but wholesale massacres. ["Question!"] This was the Question; and hon. Gentlemen who sat on the Benches of the Radical Party, and who represented constituencies associated with trades unionism in days before trades unionism learned to purify itself, might recall to their minds deeds of a most horrible character which were committed on very paltry provocation by English working men when laws affecting English working men injured what they considered their just rights. It had also escaped the notice of the hon. and learned Member that the crimes—numerous and great as they were, and to be deplored—committed by the Irish masses under terrible provocation, were nevertheless inferior even in number to the crimes committed by the landlord class during the last year. After so many seasons of deprivation, when the masses of the Irish people were steeped in poverty, were there not 10,000 men, women, and children cast out from their homes by Irish landlords? He supported the rejection of the third reading of the Bill, because down to the present Her Majesty's Government had dealt in denunciations, and not in proofs. It was perfectly true that Blue Books crammed with outrages had been presented to the House; but it was known that many of those outrages were fictitious, and a large number repetitions. But the most important point to be borne in mind in connection with the case of the opponents of that Bill was that the vast majority of outrages were plainly shown on the face of the Blue Books themselves to have been caused not by illegal agitation, not by any state of affairs amongst the people requiring punishment by repression, but by the misuse of the large powers which the present Land Laws gave to the landlords of Ireland. He had pointed out how in almost every case of a serious character, from one end of Ireland to another, wherever an outrage had been committed by the people an outrage committed by the landlords had preceded it. Everywhere was to be read the monotonous story of the Whiteboy offence of intimidation, or the offence of an assault committed upon some farm from which a tenant had been recently evicted; and in almost every case the suspicions of the constabulary were laid not upon any political agitators, but upon some persons connected by blood and kinship with the evicted family. It was always found that an outrage had first been committed by the landlord, and then revenged, unfortunately, in an illegal manner by the tenant class. The right hon. Gentleman at the head of the Government had told the House that outrage had dogged the steps of the Land League. He would not repeat what had been so ably said in criticism of that extraordinary argumentation. He had proved, and he could prove again, that in several Irish counties outrages had increased, although the meetings of the Land League had diminished; and whenever he found a distinct increase of outrages he could trace that increase to a cause very different from agitation by the Land League or any other organization. Outrages, including the sending of threatening letters, increased in Ireland at the approach of winter—at the date when the landlords began to press, not only for the rent, but for arrears, which it was absolutely impossible for the tenant to pay. Was it not admitted that these outrages took place in order to intimidate the landlords from evicting, and was it not also proved that the landlords were intimidated from evicting? During the first three quarters of the year which had passed there was but a small number of outrages, and the result was a large number of evictions. It was during the nine months of the year when outrages were very few that three-fourths of the evictions perpetrated by the landlords last year took place, and it was not until the people goaded into criminal self-defence — if self-defence were crime—took revenge in outrages, that evictions almost disappeared from Ireland. And yet the Chief Secretary carefully avoided alluding to that fact. Nothing was clearer than that the people abstained from outrage until the landlords drove them to despair by the excessive use of the power of eviction. When 7,000 persons had been evicted in Ireland the increase of outrages took place, and when they increased in number the thousands of evictions sank to scores and dozens. It was the landlords of Ireland who had taught the people the lesson that the only way to restrict evictions was by having recourse to public agitation. But Irish Members sought to teach the people a better lesson. They hoped to give the people remedial legislation, and then there would never be the necessity to intimidate landlords to prevent the exercise of their legal rights. Another explanation of the increase of outrages was that it took place in the most poor and miserable parts of Ireland, and could be seriously shown to be due not to the causes alleged by Her Majesty's Government as the ground for introducing this Bill, but to the excess of poverty which overtook Kerry, Donegal, Sligo, and other famine-stricken districts in the West of Ireland. Donegal was peaceful during the time of distress until the Donegal landlords began last year to put on the screw of eviction; and in Sligo, Mayo, Galway, and Kerry there was remarkable patience and endurance shown until the landlords began to evict, although these districts were the chief seats of the famine. The whole policy of the Government this year was a contradiction of their policy last year. Last year they suggested remedies, and threw the whole of the blame on the landlords; this year they introduced coercion, and became apologists for the eviction of the people. There was no excuse for the passing of this Bill on the ground of agrarian crime. The agrarian crime which had been committed had been distinctly committed under the pressure of individual wrong, and were the rude acts of popular vengeance. The only way to prevent them was the introduction of remedial legislation, which would deprive Irish landlords of the power of committing wrongs in the homes of the people. Conscious of the hollowness of the agrarian pretext, Her Majesty's Government took refuge in the unproved and unprovable existence of political conspiracy. But what argument had they produced in support of their theory of political dangers threatening Ireland? Hon. Members had heard stories of the presence of former Fenian head—centres in such and such capitals of Europe, and the House had been invited to listen with awe to the horror-striking communication, by a Member of the Government, that Mr. James Stephens had returned to his ordinary occupation and ordinary home in Paris. Such was one main argument of Her Majesty's Government in favour of completing the suppression of political liberty in Ireland. Another was the story of Mr. Devoy's letter. He would not deal with that; but it was notorious there was no incendiary expression to be culled in the columns of American newspapers to-day that could not be found there on any date during the last 15 years, and, therefore, at any time within that period Her Majesty's Government could find quite as strong reasons for suppressing Irish liberty as they were now putting forward. The true explanation, therefore, of the coercive policy of Her Majesty's Government was not to be founded either on the prevalence of agrarian or political crime in Ireland. What Her Majesty's Government wished to strike down was the individual resolution of a number of the Irish people to imitate, at least, the manliness and independence of Englishmen and Scotchmen, who set about righting their wrongs by Constitutional agitation, and by the application of the means in their own hands. It was because the Irish people had declined to act as wretched petitioners to the right hon. Gentleman the Chief Secretary for Ireland and the other Leaders of the Liberal Party that the Government had turned round and dealt a blow which was meant to be an insult to Irish Nationality. If the Irish people had maintained an attitude of humiliation, if they had come as mendicants and paupers, begging for the commiseration of Her Majesty's Government, there would have been no Coercion Bill. The Bill was meant as a punishment to the Irish people for the assertion of their independence. It was meant to curb and break the spirit of Irish Nationality. In that sense it was offered, and in that sense it was accepted by Irish Members. The hon. Member for Ipswich (Mr. Jesse Collings) was entitled to their acknowledgments for the kindly speech he had just delivered, in which he had expressed his sincere satisfaction that the end of this painful business was at length appproaching. But he (Mr. O'Donnell) replied that they were only approaching its beginning. The work which Irish Members had been doing in the House for weeks past had been to put off the shameful and evil day of the unchecked rule of liberal despotism in Ireland. They were irritated, but not daunted, by the prospect before them. They felt that Ireland would come out of the trial strengthened in her resolve to abide by her own resources; and, above all, never more to believe in the principles of Liberal policy. They were absolutely indifferent to any legislation the Government might choose to bring in. If they did not choose to do the work, another English Party would, and, probably, do it far better, because they would work under the stimulus of the Land League. It had been the unvarying feature of Liberal Administration in Ireland always so to introduce a reform as to leave a sting behind it. The manner in which they had forced on Coercion, without regard to the numerous protests of the Irish nation, would have the effect of separating the Irish people for ever from the doctrines, promises, and programmes repeated on the Treasury Bench. For the future, after the passing of this Act, the Irish nation would act independently between English Parties; and if it had been made a matter of complaint against them that they had leaned unduly against the Conservative Advisers of Her Majesty, that complaint should never be made again, for they knew now that the Liberal Party was as little deserving of the confidence of Ireland as their Predecessors in Office.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Sexton.*)

Motion *agreed to.*

Debate *adjourned* till *To-morrow.*

PEACE PRESERVATION (IRELAND) BILL.

SIR STAFFORD NORTHCOTE: Sir, I wish to know what has been done with regard to the Notice of Motion as to the introduction of the Peace Preservation Bill for Ireland, and whether there is any Notice renewing it or not?

LORD FREDERICK CAVENDISH: It still stands on the Paper. Nothing has been done.

House adjourned at One o'clock

HOUSE OF LORDS,

Friday, 25th February, 1881.

MINUTES.]—Public Bills—*Select Committee —Report*—Rivers Conservancy and Floods Prevention [No. 38].

Committee — Report — Rivers Conservancy and Floods Prevention * (15-39).

Third Reading—Solicitors' Remuneration * (36), and *passed.*

ARMY RE-ORGANIZATION (LORD AIREY'S COMMITTEE).

QUESTION. OBSERVATIONS.

Viscount BURY said, their Lordships would, doubtless, remember that the noble Earl opposite the Under Secretary of State for War (the Earl of Morley) had, some time ago, told him that in presenting the Report of Lord Airey's Committee to the House, he would make such a statement as would raise the whole question of Army administration in a form in which it could be discussed in their Lordships' House. Of course, many Members of their Lordships House were so eminently fitted to discuss the question that it was desirable that the matter should be fully brought before them. He wished, therefore, to ask, having given private Notice of his Question, Whether his noble Friend, in laying the Report on the Table, intended to make such a statement as would raise the general question? There was another subject he wished to mention. The indiscretion had been committed by someone of communicating the contents of the Report to the Press, a summary of it having appeared only that morning in *The Times.* Yesterday, the noble Lord had said he was not aware whence that indiscretion arose; but he might now be able to give some information on the point. The somewhat unusual course had been pursued by the Government, even a considerable time ago, of communicating the main points of the Statement which the Secretary of State for War had to make on Monday to the newspapers, for on the 1st of November last *The Times* had a communicated article and a leading article on the subject of the recommendations of the Committee; and these were followed up on the 9th and the 13th of the same month, all disguise being thrown aside, and it was said that the matter had now passed into the stage of official settlement, and that it was right to give a *resumé* of the changes which Mr. Childers intended to propose. Evidently those articles in *The Times* came from someone who had a right to speak; and he should like to know whether the Government could give any further information? There was an inconvenience in the communication to the Press of documents like the Report of the Airey Committee before they were presented, which would be quite apparent to their Lordships when it was considered that, whilst quotations from the Report were made on one side, Lord Airey and Sir Lintorn Simmons, both Members of the Committee, were unable to refer to the official document in their reply. Another matter which he wished to refer to was this. There appeared to be still an erroneous impression in their Lordships' minds as to the exact position which was occupied by Lord Airey's Committee. A dispute had arisen as to whether it was a Departmental Committee or a Special Committee. It could not be too strongly stated that it was not a Departmental Committee in any sense. It consisted of nine persons, all holding prominent positions in the Army, and only three of them were connected in any way with the War Office—namely, Sir Lintorn Simmons, General Armstrong, and Sir Archibald Alison. It was, no doubt, a confidential Committee to advise the War Office, but it was not a Departmental Committee. They had gone most carefully into the matter, and their Report was one of the most able objects of military opinion that could be presented to Parliament.

The Earl of MORLEY, in reply, said, he could not help thinking that the course pursued by the noble Viscount (Viscount Bury) was wholly irregular and somewhat inconvenient. The noble Viscount had sent him Notice that he intended to ask a Question, but he was not prepared for a speech of a quarter of an hour upon a subject of such great importance; and he ventured to think that the regularity was inconvenient, not only to the noble Lord who had to answer, but also to the House at large. With regard to the statements that had been published as to the Report of Lord Airey's Committee, he would say that it was a fact that on the 15th of March last, before the present Government came into Office, a summary of the Report had appeared in *The Times*, though not so full a one as appeared in that morning's paper; but the Government knew nothing as to how these statements had got abroad. He regretted very much that they should have been published before the Government had laid the Report upon the Table. He might also say that it was not his intention to make any general statement on the subject of Army administration in laying the Report upon the Table, as that would be an unusual course, and it would further be inconvenient in that it would tend to raise a debate upon a question of great importance before their Lordships had had an opportunity of studying the document, or the Statement which would have been made in the other House. He had no desire to postpone any discussion upon the subject; and after the proposals of his right hon. Friend (Mr. Childers) had been made known to Parliament, any noble Lord could raise a discussion on one or more of the important questions upon which Lord Airey's Committee had reported.

SUPREME COURT OF JUDICATURE ACT, 1873—THE ORDER IN COUNCIL—OFFICES OF THE LORD CHIEF JUSTICE OF THE COMMON PLEAS AND LORD CHIEF BARON.

LORD DENMAN, in rising to move—

"That an humble Address be presented to Her Majesty that the Order in Council, a copy of which was laid on the Table of the House on 6th January 1881, for reducing the number of Divisions of Her Majesty's High Court of Justice and for abolishing the titles of Lord Chief Justice of the Common Pleas and Lord Chief Baron and reducing their offices to an equality with the offices of the other Judges who are not ex officio Judges of Her Majesty's Court of Appeal, may not come into operation;"

said, he was afraid that it was useless for him to make the Motion, as he knew that what he said was not thought worthy of being listened to by their Lordships, and was sure not to be reported by the Press, although it would be reported truly in *Hansard;* but if he had been ruled to divide the House, he could not have renewed his Motion. It had been said that there was no precedent for renewing such a Motion; but there was none against it. The best measure for despatch of business was Lord Abinger's for sittings at certain times. At present, we had in the Queen's Bench Division one cause, No. 112, and, next to it, No. 400, and more marked "Exchequer." It had been said by an old French writer, that "Une courte injustice vault mieux q'une longue justice;" but, before Her Majesty's reign, a delay of two years might have occurred, and a defendant, for want of bail, might have been in prison all that time. The noble Lord now Lord Chief Justice of England had, on August 10, 1876, said that he thought the appointment of three additional Lords Justices in Ordinary a mistake, and much preferred the two Lord Chief Justices and the Lord Chief Baron sitting in rotation on review of causes. That noble Lord had lately committed a suitor, for saying that he was not fit for his position, that he, the suitor, had been swindled, and other unfounded slanders, to Newgate. He (Lord Denman) only recollected one instance of a person being sent to Newgate—whom he would not name—for striking a witness. If this address were postponed, the Order of Council must immediately take effect. Since the debate in "another place," the question of salary might be a difficulty; but to have two more Common Law Courts besides the Queen's Bench, with distinct heads, he thought worthy of every effort for them; but he could not refrain from repeating his protest against the abolition of the titles of Lord Chief Justice of the Common Pleas and Lord Chief Baron.

Moved, That an humble Address be presented to Her Majesty that the Order in Council, a copy of which was laid on the Table of the House on 6th January 1881, for reducing the number of Divisions of Her Majesty's High Court of Justice and for abolishing the titles of Lord Chief Justice of the Common Pleas and Lord Chief Baron and reducing their offices to an equality with the offices of the other Judges who are not ex officio Judges of Her Majesty's Court of Appeal, may not come into operation.—(*The Lord Denman.*)

THE LORD CHANCELLOR: My Lords, I shall take the liberty of moving the adjournment of the House as the best and most proper mode of meeting this Motion under the peculiar circumstances under which it has been made. A few days ago the noble Lord moved a similar Motion, and then obtained leave to withdraw it. I find that there is no precedent for the renewal of a Motion once made and answered in your Lordships' House, and then, by leave, withdrawn at the request of the Mover. Some years ago a string of Resolutions were proposed by Lord Campbell which Lord Lyndhurst thought should not be made the subject of a vote, and he took the course of moving the adjournment of the House. Founding myself upon that precedent—though Lord Campbell's Motion was no precedent for that of my noble Friend—I shall follow the same course. I fully appreciate the excellency of the motives which have induced my noble Friend to take the interest he does in this matter; and if he thinks that he is not listened to, or that his views are regarded as unworthy of attention, I can assure him I always listen to him with respect. But on this particular occasion it would, I think, have been better if he had not attempted to make a new precedent which would be attended with some irregularity, and a great amount of inconvenience. I shall, therefore, move as an Amendment that the House do now adjourn.

Moved, "That this House do now adjourn to Monday next."—(*The Lord Chancellor.*)

On question, *resolved* in the *affirmative.*

House adjourned accordingly at Six o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 25th February, 1881.

MINUTES.]—Public Bills—*First Reading*—Settled Land * [95]; Limitation of Actions * [96].

Second Reading—Blind and Deaf-Mute Children [85].

Third Reading—Protection of Person and Property (Ireland) [90], and *passed.*

QUESTIONS.

THE MAGISTRACY (IRELAND)—THE PUBLIC OFFICERS IN DONEGAL.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been drawn to the fact that all the public officers of the county Donegal, namely, Resident Magistrates, Clerk of the Crown, Clerk of the Peace, Sessional Crown Solicitor, Secretary to the Grand Jury, County Surveyors, High Sheriff, Sub-Sheriff, Sheriffs Returning Officer, Coroners, two-thirds of the Inspectors of Constabulary, twenty-two out of twenty-seven Petty Session Clerks, the whole of the Visiting Committee of the County Prison, the Officers of the County Infirmary, twenty-four out of the twenty-six Governors of the County Lunatic Asylum, the Clerks of the Union, and the Poor Law Inspectors, are persons differing in religion from the great majority of the population of the county; and, whether the Government will make provision in the County Government Bill promised for Ireland this Session for placing all county officials under the County Board?

Mr. W. E. FORSTER, in reply, said, that his attention had not been called to the subject except by the Question of the hon. Member; and, indeed, he did not know it should have been called to it, as he did not feel it his business to inquire into the religious views of the officials in any county in Ireland. With regard to the second portion of the hon. Member's Question, he had to say that it was not customary to state very important provisions in any Bill in prospect until the Bill itself was introduced.

IRELAND—CITY OF CORK—MANAGEMENT OF THE BUTTER MARKET.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that the managing body of the Cork Butter Market assume to themselves the power of summoning people before them to answer charges; whether they summon and examine witnesses in support of those charges; whether they impose and levy heavy fines on members of the public dealing in the market, under threat of preventing them from further dealing therein if such fines be not paid; whether their meetings are held with closed doors, with both the public and the press excluded; whether such acts constitute the holding of an illegal court for the purpose of intimidating Her Majesty's subjects; whether the Solicitor General for Ireland was for many years Law adviser to this body; whether four members of that body are magistrates; and, whether the Government will take means to put a stop to such practices?

MR. W. E. FORSTER: I have sent to Ireland for the information necessary to enable me to answer the Question, but have not yet received it. I suppose there has not been time. If the hon. Member will put the Question down again for Monday, I shall probably be able to answer it then.

MR. HEALY wished to ask the right hon. Gentleman whether, in obtaining the information necessary, he would consult, not only the authorities of the Cork Butter Market, but make inquiries amongst the traders?

MR. W. E. FORSTER: The hon. Member may not be aware that his Question is drawn so as, apparently, to set out only one side of the facts. I must hear the other side before I can give him the answer.

STATE OF IRELAND—CLARE CASTLE, COUNTY CLARE.

MR. FINIGAN asked the Secretary of State for War, Whether he will cause an inquiry to be made in respect to the refusal of the Military authorities at Clare Castle, county Clare, to send a fire engine and aid to a neighbouring farm, rented by a Mr. D. O'Brien, on the recent occasion of a fire on the premises, by which ninety tons of hay were destroyed; and, whether Sergeant Keogh refused to send the engine and aid when requested, though some fifty men of the 9th Regiment were in quarters at the time, and ready to perform such service?

MR. CHILDERS: Sir, in reply to the hon. Member, I will read to the House the telegram which I received this morning on the subject of his Question, from the officer commanding the troops at Clare Castle—

> "Fire not reported until nearly burnt out. Blowing a gale. No supply of water to be got at the farm for the engine."

THE CONSTABULARY (IRELAND)—ARMAGH POLICE STATION.

MR. DE LA POER BERESFORD asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the intention of the Government to comply with the request of the Towns' Commissioners and Local Magistrates of Armagh, as expressed in their memorial addressed to him on the 11th August 1880, and establish a police station at the Shambles, Lower English Street, in the city of Armagh?

MR. W. E. FORSTER, in reply, said, that the matter had been very carefully considered by the Irish Government last autumn, and that they had come to the conclusion that they could not make any change at present in the position of the police station at Armagh. That decision had been communicated to the Town Commissioners on the 8th of October last.

SOUTH AFRICA—THE TRANSVAAL (NEGOTIATIONS).

MR. MACFARLANE asked the First Lord of the Treasury, If, before the annexation of the Transvaal, the holding of land by the natives of the country was illegal; and if, in any negotiations tending to give the Boers independence, or semi-independence, he will stipulate that the rights and liberties of the Natives shall be duly protected?

MR. GRANT DUFF: Sir, Article 9 of the Constitution Ordinance of the late South African Republic runs as follows:—

> "The people will not allow of any equality between coloured and white inhabitants, either in Church or State."

That principle was certainly carried into effect to a great extent in the land legislation of the Republic. The hon. Member will find an explanation of the state of the law, which is somewhat obscure, and could hardly be explained in the answer to a Question, at pages 2 and 3 of the Blue Book (C. 2,482). In any new arrangements which may be made with reference to the Transvaal the hon. Member may rest assured that the interests of the Natives will most certainly not be overlooked.

THE LAW OF DISTRESS (ENGLAND).

MR. BLENNERHASSETT asked Mr. Attorney General, Whether he is aware that the following instance of the operation of the Law of Distress has recently taken place. A landowner in Norfolk hired from a proprietor of steam-engines and threshing machines some machinery for the purpose of threshing his crops. Upon the work being completed, the same machinery was immediately hired by a tenant of the landlord, and, upon being removed to the holding of the said tenant, was thereupon seized by the landlord for rent due; whether, upon consideration of these facts, the following resolution has not been unanimously adopted at a general meeting of the Agricultural Engineers' Association:—

> "That a case of a landowner who seized an engine and threshing machine hired by his tenant, for rent due by such tenant, having come before the general meeting of the Agricultural Engineers' Association, the members present desire to express a decided opinion that the time has arrived when landowners should be deprived by the Legislature of such an exceptional power, and that, in respect of money due to them for rent, they should be placed upon the same footing as other creditors;"

and, whether he can hold out any prospect of such legislation during the present Session?

THE ATTORNEY GENERAL (Sir HENRY JAMES), in reply, said, his attention had not been called to the case only by the Question of the hon. Member; but it was very probable that such a case might have occurred. As to the prospect of legislation on the subject, he was very glad to be able to answer in the affirmative, because there was a Bill, which had been introduced by the hon. Member for Midhurst (Sir Henry Holland), and which stood for second reading on Wednesday next, the object of which was to exempt live stock and agricultural machinery, not being the property of the tenant, from distress for rent. That Bill, no doubt, would receive the earnest consideration of the House.

MERCANTILE MARINE—ROCKET APPARATUS.

MR. BIRKBECK asked the President of the Board of Trade, Whether, in view of the number of lives annually lost by shipwreck round the coasts of the United Kingdom from want of proper knowledge of the use of the rocket apparatus, he is of opinion that the examination of officers of the Mercantile Marine as to the use of it is efficient for the purpose?

MR. CHAMBERLAIN: Sir, for upwards of 15 years masters and mates of the Mercantile Marine have been required, when under examination for certificates of competency, to prove that they are fully acquainted with the use and management of the rocket apparatus, in the event of a vessel being stranded. Besides the officers, there are upwards of 20,000 seamen belonging to the Royal Naval Reserve who have actually been drilled in the use of that apparatus. Training ships are also supplied with models, and also with worn sets of the gear, so that the boys may be taught and practice in the use of it. Further than that, an enamel placard is prepared and nailed up in every ship as she is registered, showing how to use the apparatus, and printed instructions, with illustrations, are distributed freely at the ports. Finally, when a line is fired on board, it takes with it a wooden label containing directions in French and English. The hon. Member alludes to the number of lives lost annually from want of proper knowledge of the use of the rocket apparatus. I may, perhaps, mention that the average number of lives saved in each of the last 10 years by this apparatus is over 200, and from June, 1880, to the present time, 523 lives have been so saved—in the gale of October last 264 lives, and in the gale of January last 139 lives.

AFGHANISTAN—GENERAL KAUFMANN AND THE AMEER SHERE ALI.

MR. J. COWEN asked the Secretary of State for India, Whether it is correct, as stated by General Kaufmann to Shere Ali, in his despatches of the 2nd January 1879, and the 7th January 1879, that the Russian Ambassador had "obtained a promise from the British Minister to the effect that they would not injure the independence of Afghanistan;" whether Her Majesty's Government are bound, by any promise made by themselves or by their predecessors to the Russian Government, not to remain in occupation of Candahar; and, whether he will lay upon the Table the terms of the promise alluded to by General Kaufmann?

THE MARQUESS OF HARTINGTON: Sir, the statements made by General Kaufmann in his letters to the late Ameer on the 2nd and 7th of January, 1879, are a mere repetition of those contained in his letter of November 26, 1878. I have no knowledge of anything having passed on the subject between the Russian and British Governments between the well-known interchange of views in 1875 and General Kaufmann's letter of the 26th of November, 1878. Subsequent to the latter date two conversations took place between Lord Salisbury and Count Schouvaloff—namely, on the 10th and 12th of December, 1878, and the subject of those conversations is recorded in a despatch of Lord Salisbury's dated December 13, 1878, to Lord Augustus Loftus, and which has already been laid upon the Table. This record does not appear to bear out in any way the statements made by General Kaufmann to the Ameer. Her Majesty's Government, therefore, are not to their knowledge bound by any promise on the part of their Predecessors in Office not to remain in occupation of Candahar; and they certainly are not so bound by any promise they have made themselves.

STATE OF IRELAND—PRISON REGULATIONS (NENAGH).

MR. T. P. O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that on January 22 a number of men were returned for trial by the Thurles bench of magistrates, on a charge of having "walked in procession round a piece of grazing ground;" whether bail was refused; whether these men were removed to Nenagh Gaol handcuffed in pairs; whether they were kept without food from early on Monday morning till the following morning, and were then informed that they would not breakfast till they worked for it; whether, on their refusal to work, they were kept fasting till mid-day; whether they can see their friends only through an iron gate, and are held during the interview by two warders; whether they are allowed only one hour for exercise during the day, and are threatened with the black hole if they speak to or even smile at each other; whether he will order a sworn investigation into this case; and, if he find that the facts are as above stated, whether he will mark his disapproval of these proceedings, and give adequate compensation to the sufferers? The hon. Member said, that he was not responsible for the terms in which the first paragraph of this Question appeared on the Paper. After the word "magistrates" the words "in a bailable offence" should be inserted.

MR. W. E. FORSTER, in reply, said, he should prefer to answer the Question as it stood on the Paper, the statements in the first part of it having been frequently repeated in the same spirit in the course of the debate on the Protection Bill. The charge against these men was a very serious one of riot and unlawful assembly, and nothing could be further from the fact than to describe the charge against them as merely that of "walking in procession round a piece of grazing ground;" and bail was refused, first by the magistrates, and subsequently by the Queen's Bench. The prisoners had been handcuffed in pairs on their way to the gaol at Nenagh. The outrage committed had been considered a very serious one; and as there was a change of trains at the station, causing some delay, and as no police were there, it was thought necessary for the security of the prisoners to have them handcuffed. They had been subjected to no other hardships; on the contrary, they had received every possible kindness from the constabulary. [*Laughter.*] If it was necessary to arrest men, it was necessary to take them in safety to the place of confinement. There was no foundation for the allegation that the prisoners were kept without food from early on Monday morning till the following morning, and were then informed that they would not breakfast till they worked for it. They were committed to the custody of the Governor of Nenagh Gaol at a quarter to 1 o'clock on the Monday afternoon. They then had provisions with them, and their friends immediately made arrangements to supply them, and that had been done regularly ever since. None of the prisoners had come upon the dietary of the gaol, and they were abundantly supplied with provisions, including wine and porter, by their friends. It was untrue that the men had been kept fasting in consequence of refusing to work, for they had not been asked to work; and it was also untrue that they could only see their friends through an iron gate. They were allowed to see their friends in accordance with the Prison Rules as regarded visitors; and it was quite untrue that they were held by warders during their interview with them. They were not permitted to speak to each other; but they had never been threatened with the "black hole," and they had two hours' exercise daily. Therefore, under the circumstances, it was not a case for the Government to mark their disapproval of the proceedings.

MR. T. P. O'CONNOR: I would like to ask the right hon. Gentleman on whose authority he has made this statement to the House; and, secondly, whether prisoners who are allowed only two hours' exercise every day, and who are not permitted to speak to each other, are not undergoing practically all the horrors of solitary confinement?

MR. W. E. FORSTER: I do not think that is the general definition of solitary confinement. The 2nd of the existing Prison Rules with respect to prisoners awaiting trial states that—

> In order to prevent such prisoners from being contaminated by each other, or endeavouring to defeat the ends of justice, they shall be kept separate, and shall not be permitted to communicate with each other.

Under the 2nd sub-section of the 5th Rule, reference is made to the exercise of prisoners, and provides for their exercise apart and with a selected number of untried prisoners. These arrangements rest with the Visiting Committee. It was very much on account of these two Rules not bringing prisoners of this kind within the description of treatment proposed that I thought we ought to take powers to make fresh Rules in reference to the Bill which now stands for third reading to-night. It does not appear to me that the Nenagh Committee are transgressing the Rules in force for their guidance. With regard to my sources of information, I may say it came from the Governor of the gaol and the resident magistrate.

MR. T. P. O'CONNOR: Are not the prisoners—[*Cries of* "Order!"]—are not the prisoners kept for 22 hours out of the 24 hours in the cells alone, and is not that solitary confinement?

MR. W. E. FORSTER: If the hon. Member wishes to ask further Questions upon the subject he must give Notice.

HIGH COURT OF JUSTICE—THE PAYMASTER GENERAL IN CHANCERY.

MR. STUART-WORTLEY asked the Secretary of State for the Home Department, Whether it is the fact that complaints have recently been made that applications to the office of the Paymaster General in Chancery have in some cases remained unattended to for three, four, and even six months; and, whether such delay is owing to the insufficient number of clerks employed in that office; and, if so, whether he will consider what steps can be taken to remedy the inconvenience thereby occasioned?

THE ATTORNEY GENERAL (Sir HENRY JAMES), in reply, said, it was quite true that great delay had lately arisen in dealing with applications to this office. That delay was owing to the insufficiency of clerks; but arrangements had now been made to increase their number.

ARMY (AUXILIARY FORCES)—MILITIA FORCES.

MR. ROSS asked the Secretary of State for War, Whether it is correct that adjutants of Militia regiments attached to brigade depôts have been deprived of their lodging allowance, and, in place thereof, been given an ordinary quarter (viz. one room) in barracks; if so, whether Government will consider the advisability of restoring the lodging allowance, or appropriating a special quarter, as in the case of Militia quartermasters; and, whether, if neither of these courses be adopted, the Government will consider the propriety of increasing the pay of adjutants of Militia, as in the case of acting adjutants of brigade depôts?

MR. CHILDERS: Sir, assuming that the Question of the hon. Member refers only to adjutants appointed permanently before 1872, I can only say that, now that quarters have been built for all Militia adjutants, it is somewhat anomalous to leave these particular quarters vacant and to continue the allowance. But the question is under consideration, and I have no wish to do anything harsh.

ARMY—THE 20TH HUSSARS.

MR. LEAHY asked the Chief Secretary to the Lord Lieutenant of Ireland, If the report is true which appeared in the "Freeman's Journal" of the 19th instant, that the 20th Hussars, when passing through Athy, where they were billeted on the night of the 18th instant, committed a number of outrages on the unoffending inhabitants; knocked down a child, and pitched a man into the street, and marched through the streets uttering a peculiar kind of yell, and wanted to get their guns to clear the streets; and, if so, whether he would order steps to be taken to bring the offenders to justice?

MR. W. E. FORSTER: Sir, I have read the report of this occurrence in *The Freeman's Journal*, and I hope the hon. Gentleman, if he has not already done so, will read the letter which appeared subsequently in the same paper from the acting adjutant of the regiment in question, who gives an entirely different version of the occurrence. I have written to the Inspector General of Constabulary to obtain information on the subject; and the fact that no reply has yet been received by him, I think, proves that the affair must have been exaggerated by a local correspondent.

POST OFFICE (TELEGRAPH DEPARTMENT).

BARON HENRY DE WORMS asked the Postmaster General, Whether any, and, if so, what decision has been arrived at as to the petition of the clerks of the staff of the Central Telegraph Office?

MR. FAWCETT: Sir, on several occasions during the present Session I have been asked a Question similar to the one which is now addressed to me by my hon. Friend. I can only repeat that the position of the telegraphists at the present time engages my most careful consideration, and that there has been no unnecessary delay on the subject. I am very anxious to fairly and completely investigate the matter; and it may, perhaps, be well to say that before arriving at a decision I shall ask some of the telegraphists (both Provincial and Metropolitan) to come and see me, and speak to me unreservedly as to their grievances on the subject.

BURMAH—REINSTATEMENT OF THE POLITICAL AGENT AT MANDELAY.

MR. R. N. FOWLER asked the Secretary of State for India, Whether the Government see any prospect of reinstating the political agent formerly stationed at Mandelay?

THE MARQUESS OF HARTINGTON, in reply, said, from the most recent information received from India, there was no prospect of the officer in question being reinstated.

ARMY—THE FIRST-CLASS ARMY RESERVE.

MR. W. HOLMS asked the Secretary of State for War, If he will inform the House what course he proposes to take with regard to men of sections A and C of the First Class Army Reserve who rejoined the Colours in 1878, and had, on the 31st July, 1878, a minimum service of fourteen years' service towards pension, there being at present no Law under which pensions can be granted in such cases?

MR. CHILDERS: Sir, my hon. Friend can hardly be aware that I have already, several times, answered this Question both this Session and last year. My reply was that a Bill will be introduced on the subject.

TURKEY AND GREECE—THREATENED HOSTILITIES.

MR. BOURKE asked the Under Secretary of State for Foreign Affairs, Whether it is true that a Royal Decree has been published at Athens calling the Reserves into active service; whether, considering that Her Majesty's Minister at Athens has stated that he knows it was the intention of the late and present Government to call out Reserves "only at the last moment before active military operations" were commenced, he will inform the House if Her Majesty's Government, or any of the other Powers, have made representations to the Greek Government upon this step; and, whether, as "the last moment before military operations" appears now to have arrived, Her Majesty's Government intend to issue a Proclamation of Neutrality?

SIR CHARLES W. DILKE: Sir, the Greek Government have not called the whole of the Reserves into active service, but only certain classes. It had been the intention of the Greek Government to call out the Reserves generally; but, on the Representatives of the Powers expressing disapproval of that proposed step, the more limited action was taken, and accompanied by the explanation that the measure was not to be considered as a menace. Her Majesty's Government have advised the Greek Government not to take any step that might have the appearance of an attempt to force the hands of the Powers now engaged in negotiations at Constantinople. The Powers have also agreed to invite both the Turkish and Greek Governments to abstain from acts of hostility during the negotiations. I believe that Proclamations of Neutrality are only issued when a state of war exists.

Mr. BOURKE: Is the step taken by the Powers a collective step?

Sir CHARLES W. DILKE: Each Power has made separate representations.

Mr. BOURKE: Identical?

[Sir Charles W. Dilke did not reply.]

STATE OF IRELAND—EVICTIONS, CO. LONGFORD.

Mr. ERRINGTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to a very serious statement that evictions on a large scale were likely to occur on a property in the county of Longford; and if he will consider the advisability of providing some means for mitigating the harshness of the existing Law pending the satisfactory settlement of the land question promised by the Government, which cannot be carried out for a considerable interval?

Mr. W. E. FORSTER: I suppose the hon. Member's Question refers to certain rumoured evictions said to be about taking place on Lord Annaly's property. Now, I have a good many Questions to answer about facts, and I cannot give information as to rumours and intentions; but my own impression is that there is great exaggeration in the statement which was made. The facts in regard to the county of Longford are as follows:—In the January Session the number of ejectment orders issued in the county of Longford for non-payment of rent was three; and the cases of ejectment for over-holding on title were only two in number.

SOUTH AFRICA—THE BASUTO WAR (NEGOTIATIONS).

Mr. CARINGTON asked the Under Secretary of State for the Colonies, Whether any, and, if so, what steps have been taken by Her Majesty's Government to insure fair and reasonable terms of peace being offered to the Basutos?

Mr. GRANT DUFF: I think, Sir, the best answer I can make to the hon. Member's Question will be to put the House in possession of our latest news from the Cape. This is contained in two telegrams from Sir Hercules Robinson, to which my noble Friend the Secretary of State for the Colonies has sent a reply, which I will also read. The House will see, from the first telegram of Sir Hercules Robinson, that his attempt to put an end to the war by inducing the Basutos to put themselves in his hands has thus far not been successful. On the 23rd of February, Sir Hercules Robinson telegraphed to the Secretary of State as follows:—

> "Cape Town, Feb. 23.—Reply from Lerothodi and other Chiefs in rebellion unsatisfactory; professes gratitude and desire for peace, but practically rejects my offer of friendly intervention by declining to submit to the authority of the law until they are first informed of the nature of the terms and treatment which will be extended to them.
>
> "I have telegraphed to Chiefs my disappointment at their reply, and stated that I would send it on to Ministers, who would communicate with the Chief Magistrate on the subject of it. I added, I would still use my influence in favour of leniency; but I thought their position would have been stronger and their claim to merciful consideration greater if, instead of seeking to bargain beforehand, they had at once desisted from armed rebellion against the Crown, and placed themselves unreservedly in my hands."

The message ends—

> "I will telegraph to you presently course decided on by Ministers."

Later, on the same day, Sir Hercules Robinson telegraphed as follows:—

> "Ministers have telegraphed to Chief Magistrate, Basutoland, the following eight conditions which they are prepared to advise in the event of rebels at once submitting to the authority of the law:—
>
> "(1.) Submission to the authority of the law means submission to the Colonial law and Government.
>
> "(2.) Arms to be surrendered immediately.
>
> "(3.) An amnesty will be granted to all who have taken part in the rebellion except Masupha, Lerothodi, and Joel Molappo, who will have to stand their trial, but whose lives will be spared.
>
> "(4.) Basutos will have to pay such fine as Parliament may determine.
>
> "(5.) No portion of Basutoland proper will be taken, except such small allotments as may be required for any magisterial station that Parliament may consider it expedient to establish.

"(6.) Quthing district, commonly known as Morosi's country, will be dealt with as Parliament shall determine.

"(7.) These terms to be accepted or rejected within 24 hours of their being handed to Lerothodi; they will not be open to discussion with the Government, and, if not accepted absolutely within time mentioned, hostilities will recommence at close of armistice.

"(8.) If these terms not accepted and hostilities recommence, Government will not be bound by present offer.

In a telegram dated the 25th of February, sent to Sir Hercules Robinson, the Secretary of State, in reply to these communications, says:—

"Her Majesty's Government have learned with much regret, from your telegrams of the 23rd, that your attempt to interfere in order to bring about a settlement of the Basuto War had come to an end, and that your Ministers have made a peremptory and severe demand upon Lerothodi, consisting of eight conditions, the non-acceptance of which absolutely within 24 hours will be followed by the renewal of hostilities."

SIR GEORGE CAMPBELL said, he should like to ask his right hon. Friend, Whether, when the Basutos were invited to place themselves in the hands of Sir Hercules Robinson, it was as the direct Representative of the British Crown, or as an authority subject to the will of Mr. Sprigg and his Colleagues in the Cape Ministry?

MR. GRANT DUFF: The best answer which I can make to that is to refer my hon. Friend to the Instructions to Sir Hercules Robinson, which have long been in the hands of hon. Members.

MR. RITCHIE: Is the House to understand that the Government, having condemned the terms which have been offered to the Basutos by Sir Hercules Robinson, have not accompanied the condemnation by any suggestion for their modification?

[No reply was given to the Question.]

ARMY (INDIA)—THE COMMANDER-IN-CHIEF AT BOMBAY.

MR. A. J. BALFOUR asked the Secretary of State for India, Whether it is true that the office of Commander-in-Chief at Bombay has just been filled up; and, if so, whether it is to be understood that the recommendation of the Simla Army Commission as to the abolition of the offices of Commander-in-Chief at Madras and Bombay has been rejected by the Government?

THE MARQUESS OF HARTINGTON, in reply, said, that he had recently heard of the nomination of an officer to succeed to the appointment of Commander-in-Chief at Bombay. The officer named was General Arthur Hardinge, who would be appointed on the understanding that the appointment would be made subject to any arrangement that might be effected as to his tenure of office. The recommendations of the Army Commission were at present under the consideration of the Government of India, and he expected shortly to receive from them some recommendations founded on the Report.

PARLIAMENT—BUSINESS OF THE HOUSE.

MINISTERIAL STATEMENT.

THE MARQUESS OF HARTINGTON: The right hon. Gentleman the Leader of the Opposition (Sir Stafford Northcote) put a Question to me yesterday in reference to a Resolution passed in this House at the Sitting of the 25th and 26th of January, which gave precedence to the Bill for the Protection of Person and Property in Ireland and the Peace Preservation Bill over all other Notices of Motion and Orders of the Day; and he inquired whether the Government, having announced their intention of asking the House to go into Committee of Supply on Monday, it was intended to make a Motion in reference to that Resolution in order to set it aside. I trust that it will be possible for my right hon. Friend the First Lord of the Treasury to be in his place on Monday, and to make the Statement he has promised in reference to Public Business generally; but I am sorry to say that it is not certain that that will be the case, and, if so, I will endeavour, to the best of my ability, to state on that occasion the intentions of the Government in regard to Business. With reference, however, to the particular Question put by the right hon. Gentleman, I am prepared to state now that my right hon. Friend the Chief Secretary for Ireland will propose to-night to postpone the introduction of the Peace Preservation Bill until Tuesday. Under these circumstances, the Resolution of the 25th of January will not technically have any operation on Monday, because a Notice of Motion which is not upon the Paper cannot have precedence of other Notices or Orders. But we quite admit that if the Government should resolve to postpone the introduction of the Peace Preservation Bill for any considerable time, it would only be respectful to the House that it should be consulted before the Resolution of January 25 should be allowed to become practically inoperative. I do not wish, and I think the House will not desire, that I should anticipate the statement which I trust my right hon. Friend the First Lord of the Treasury may be able to make on Monday with regard to the intentions of the Government as to the Peace Preservation Bill, the Land Bill, and the Business of the Government generally. I am, however, prepared to say, in reply to the Question put to me by the right hon. Gentleman opposite, that in such a contingency as that to which I have adverted—namely, the postponement for any considerable time of the introduction of the Peace Preservation Bill, my right hon. Friend will make a Motion at a convenient time to enable the House to discuss the Resolution of January 25 and 26.

Sir STAFFORD NORTHCOTE: I wish, Sir, with your permission, to put a Question to you upon a point of Order, arising out of the answer just given by the noble Lord. As I understand it, the House, having given precedence to the introduction of this measure for the Preservation of Peace in Ireland, has given up both Government nights and private Members' nights for precedence to that particular measure. I wish to know whether, if the Government waive that precedence on Monday night, they will have the power to resume the precedence for this measure on subsequent private Members' nights over the Business of private Members, or whether private Members, who gave up their privileges on January 25 in order to facilitate the progress of a Bill which was represented to be of great urgency, will find their rights revived, when the Government consider that the Business is not of sufficient urgency to require that they should have precedence over all other Business? In other words, what I ask is—Whether the Government will be able to play fast and loose with this Resolution by taking advantage of it on private Members' nights and disregarding it on Government nights?

Mr. ONSLOW: I also desire to ask you, Sir, whether, when the right hon. Gentleman brings on his Motion, at what the noble Lord calls a reasonable hour, it will not be left in your hands to decide what shall be a reasonable hour; and whether it will not also be in your power to close the debate, in order to give Her Majesty's Government an opportunity of making the Motion; and whether, if Notice is given of the Motion, it can come on after half-past 12 as an unopposed Motion?

Mr. SPEAKER: What Motion?

Mr. ONSLOW: The Motion that the introduction of the Peace Preservation Bill be postponed until Tuesday.

Mr. SPEAKER: I may remind the House that the Resolution in reference to the two Bills in question is in these terms—

> "That the introduction and the several stages of the Protection of Person and Property (Ireland) Bill and the Peace Preservation (Ireland) Bill have precedence of all Orders of the Day and Notices of Motion, from day to day, until the House shall otherwise order."

I apprehend that the qualification in those words of the Resolution—"until the House shall otherwise order"—clearly leaves it with the House, if it thinks proper, to postpone the Motion of the right hon. Gentleman the Chief Secretary to the Lord Lieutenant to a future day. But it is my duty, until the House has thought proper to set aside altogether, or to discharge, the Order of the 25th of January, to place that Motion at the head of the list for consideration each day until that Motion is disposed of. In regard to the Question of the hon. Member for Guildford (Mr. Onslow) I have to say that, assuming urgency to be declared, no doubt the debate of any Motion before the House—supposing urgency to apply to it—would be considered under the Rule of Urgency; but I apprehend that a Motion of the character now indicated would not come under the Rule of Urgency.

Mr. J. COWEN said, in reference to the ruling of the Speaker, that he should like to know, if the Government proposed to postpone the consideration of the Arms Bill, whether a discussion on the point could be raised? The House had placed its entire time at their disposal for a specific purpose, and that purpose was to be gone forward with from day to day. If the Government abandoned the purpose, and on further consideration found that the measures declared urgent were not urgent, he wanted to know when they proposed, to alter their plans, whether the House would be allowed an opportunity of reviewing the whole subject, as well as of passing judgment on the course the Ministry intended to follow?

MR. SPEAKER: I apprehend that it could be postponed until a future day, because the terms of the Resolution are "until the House shall otherwise order." I infer from that that the House has power to postpone it if it thinks proper; but it is my duty, so long as it stands upon the Paper, to give it precedence over every other Business of the House.

LORD RANDOLPH CHURCHILL: I wish to ask a Question upon a point of Order in regard to which I find that some misapprehension exists on the part of some hon. Members. I want to know whether, in the event of the third reading of the Protection of Person and Property (Ireland) Bill, it is your intention to declare that the state of Public Business is no longer urgent?

MR. SPEAKER: Assuming that the Bill is read a third time to-night, I should consider it my duty on Monday next, at the meeting of the House, to declare the state of Public Business to be no longer urgent.

MR. CHAPLIN: In the event of the right hon. Gentleman the Chief Secretary to the Lord Lieutenant not proceeding with the Arms Bill, can any other Business be taken, if objection is raised, until the Order giving precedence to the Arms Bill is discharged?

MR. SPEAKER: If the House thinks proper to postpone the Motion of the right hon. Gentleman to a future day, it will, of course, be open to the House to agree to the proposition; and, in the meantime, the House will proceed with the Business appointed for the day, and if the Motion of the right hon. Gentleman the Chief Secretary is not set down for that day, it cannot be proceeded with.

MR. CHAPLIN: Then, Sir, I beg to give Notice that, in the event of the right hon. Gentleman the Chief Secretary moving to postpone that Motion, I shall oppose it.

MR. T. D. SULLIVAN: I wish to ask you, Sir, whether, when you call on hon. Members who challenge your decision to stand up in their places, the fact should not be notified in the usual way by ringing the bell, so as to afford hon. Members a few minutes' time to enter the House and take their places.

MR. SPEAKER: The object of that Rule was that the House should be saved the trouble of a division in the event of only a small minority supporting a particular view. If the bell were rung and Members were summoned to their places that object would be defeated.

THE MARQUESS OF HARTINGTON: I am not quite sure whether I made myself quite clear in a statement which I made upon this matter yesterday. I said then that it was very necessary that some progress should shortly be made in Supply, and that it was specially necessary that my right hon. Friend the Secretary of State for War (Mr. Childers) should, as early as possible, make the important Statement he has to make on the Army Estimates. In endeavouring to explain to-day that, supposing the Government possess, as I believe it does possess, the power of temporarily suspending the operation of the Resolution of January 25, by postponing the Motion of my right hon. Friend the Chief Secretary, for the introduction of the Arms Bill until Tuesday, I intended to assure the House that the Government had no intention of abusing that technical liberty by postponing the Motion for any considerable time. But if, on Monday, the Government decide to postpone the introduction of the Bill for any considerable time, they will consider themselves bound, in due respect to the House, to give the House an opportunity, as soon as possible, and at a convenient hour, of re-considering the Resolution which was arrived at on the 25th of January.

MR. SCLATER-BOOTH: We understand that; but what I think the House does not understand is whether the noble Lord claims as a right to postpone the Motion for the introduction of the Arms Bill from to-night till Tuesday, or whether he will take the sense of the House on the subject?

THE MARQUESS OF HARTINGTON: I presume that the matter will be settled in the same way as similar questions are always settled. When the Notice of my right hon. Friend is reached, my right hon. Friend will name a day, to which it will be postponed, as is always done in similar cases, and it would then be for the House to say whether it assents to that day or not.

MR. SPEAKER: It appears to me that it is important to clear up a point which has been raised by the hon. Member for Mid Lincolnshire (Mr. Chaplin). The hon. Member gave Notice that when the right hon. Gentleman the Chief Secretary to the Lord Lieutenant proposes to postpone his Motion until a future day——

MR. CHAPLIN: Until Tuesday.

MR. SPEAKER: That he would object to that Motion. Now, I apprehend that an objection of that kind cannot be made, because the Motion of the right hon. Gentleman the Chief Secretary to the Lord Lieutenant stands in the same category as all ordinary Motions, and can be postponed from time to time without any Amendment in regard to the postponement. The only difference between this and all other Motions is that by a Resolution of this House precedence is given to it.

SIR STAFFORD NORTHCOTE: The point upon which the House appears to be anxious is that some assurance should be given by the noble Lord as to the mode in which the Government mean to exercise the remarkable privilege given to them by the Resolution of the 25th of January. According to the ordinary practice, if the Chief Secretary gives Notice to introduce the Arms Bill on Tuesday next, which it seems he has a perfect right to do, it would stand below the other Notices on the Paper, the Notices, for instance, of the hon. Member for Glasgow, and other hon. Members who have Notices. But as things are now, the Notice of the Government would not stand below, but above, those of private Members, and would take precedence over those of private Members on that night by virtue of the arrangement made on the 25th of January, when the House made a concession to the Government on the understanding that the matter was so important that all other questions should give way. If the House deliberately makes a different arrangement for a different purpose, *cadit questio*; but if the Government claim the right to be able to get precedence whenever they choose, and dispense with it whenever they choose, and only exercise it by taking away the nights set apart for private Members, and not using their privilege on Government nights, then the House will have a right to complain that the spirit of the Resolution of the 25th of January has been broken. I do not for a moment mean to imply that the Government have any such intention.

SIR JOHN R. MOWBRAY: I wish to ask the noble Marquess distinctly if the sense of the House is to be asked tonight to the postponement of the Motion of the Chief Secretary for the introduction of the Arms Bill, or do the Government claim to postpone it themselves by right? If the House is not to be asked to assent to the postponement of the Motion from to-night until Tuesday, how does he reconcile that with the assurance given to the House to-night that it would be consulted when any departure from the Rule of Urgency was to be made?

THE MARQUESS OF HARTINGTON: I understand that the assent of the House is not necessary to the postponement of the Notice of my right hon. Friend. I understand you to have ruled, Sir, that it is within the power of my right hon. Friend, whenever that Notice is called, to postpone it. My right hon. Friend proposes to postpone the Motion which stands in his name to-night until Tuesday. I have already stated the reason why he desires to take that course—namely, because the Government are anxious to go into Committee of Supply on Monday. But I think it quite necessary to say that the Government claim no such right as that indicated by the right hon. Gentleman opposite (Sir Stafford Northcote) to take possession of private Members' nights for the purpose of prosecuting their own measures, and without consulting the House, unless they are also prepared to sacrifice their own time. I have asked the House to agree to the arrangement I have suggested, in order to enable my right hon. Friend the Secretary of State for War to make a statement upon the Army Estimates. If the Arms Bill were postponed beyond Tuesday, the Government would consider it their duty to consult the House.

SIR JOHN R. MOWBRAY: May I be allowed, after what has fallen from the noble Marquess, and with all respect to you, Mr. Speaker, to put a Question, as to the proper interpretation of your ruling. Am I to understand that the assent of the House is not to be asked for the postponement of the Motion? In the event of that being the case, will it be possible for you, Sir, to put that Motion otherwise than as the first Order of the Day, in pursuance of the Resolution of the 25th of January, which you read just now, and which gives precedence to it over all other Business?

MR. SPEAKER: The right hon. Gentleman the Chief Secretary to the Lord Lieutenant can postpone his Motion, as all other Motions are postponed, without taking the sense of the House upon the matter. I have to say, further, that upon whatever day that Motion is appointed it will stand as the first Business upon the Paper.

MR. CHAPLIN: I still wish, Sir, with great respect and for my own guidance, to ask your opinion on this point of Order. The House having ordered the Arms Bill to have precedence over every other Business, it is my intention, as long as that Order remains in force, to object to any other Business being taken before it. I wish to ask your opinion, if it is proposed to take any other Business before the Arms Bill, and if I or any other Member rise in my place to object to its being taken, on the ground that it would be contrary to the Order of the 25th of January, it would be regular to proceed with that other Business?

MR. SPEAKER: It would not be in Order. I assume that the House has appointed Supply as the first Order of the Day for Monday next, and, of course, the House can deal with that Order of the Day when it is called on.

LORD RANDOLPH CHURCHILL: When the Government propose to fix Supply for Monday, will it be competent to take the sense of the House upon that proposition, and to raise a discussion? I wish, Sir, to have your opinion upon that point.

MR. SPEAKER: When the Motion for Supply is put, of course that Motion, as the House knows perfectly well, will be open to Amendment.

MR. MONTAGUE GUEST: If Supply is taken before the Arms Bill, when the Arms Bill comes on will urgency be still in force?

MR. SPEAKER: If I understand the Question of the hon. Member for Wareham (Mr. Guest) correctly, it is this—he wishes to know whether Supply can come on, notwithstanding the Resolution of the 25th of January. I apprehend that Supply can come on, notwithstanding that Resolution.

MR. W. H. SMITH: The House, on the 25th of January, ordered—

> "That the introduction and the several stages of the Protection of Person and Property (Ireland) Bill and the Peace Preservation (Ireland) Bill have precedence of all Orders of the Day and Notices of Motion from day to day, until the House shall otherwise order."

Do I understand you, Sir, to say that it is in the power of the Government, if they think fit, to disregard that Order, so far as Supply on Monday is concerned? I think it is most desirable that we should have a clear ruling on the subject.

MR. SPEAKER: I do not understand that it would disregard the Order, for the Resolution says "until the House shall otherwise order."

MR. W. H. SMITH: With great respect, I wish to remark that you have already ruled, Sir, that it is not open to the House to object to the postponement of the Notice of Motion when made by the right hon. Gentleman the Chief Secretary to the Lord Lieutenant. The House, therefore, will not be consulted, and will make no Order on the postponement of the introduction of the measure. The House has ordered that the Peace Preservation (Ireland) Bill shall be introduced and proceeded with. The House has further ordered that the introduction of the Bill shall have precedence over all Orders of the Day, and Notices of Motion; and I understand you, Sir, to say now, that it is in the power of the right hon. Gentleman to disregard that Order of the House, and to allow 24 hours and a Sitting of the House to elapse before he takes advantage of the opportunity that is open to him if he thinks fit to use it, and that it is in the power of the Government to appoint other Business for that Sitting.

SIR JOSEPH M'KENNA: Before you settle that Question, Sir, I wish to put another to you in this form. Does not the mere setting down of Supply and giving it precedence over a measure previously declared urgent altogether do away with the existence of urgency? And must not Notice be given, and the Motion carried by a majority of three to one, in the prescribed form, before urgency can be set up again?

SIR WILLIAM HARCOURT: I wish to put this Question, Sir, to you. The hon. Member who has just sat down seems to me to have mixed up two things altogether different—namely, the question of urgency and the question of this Rule. They are two totally distinct matters; and I wish to ask whether, in point of fact, the matter has not been determined already by the circumstance that the debate upon Judicial Appointments was interposed between what is generally called the Habeas Corpus Act Suspension Bill and what is usually termed the Arms Bill? [An hon. MEMBER: No, no.] I am not asking the hon Member, but I am asking Mr. Speaker. I was asking you, Sir, whether or not the House has not interposed between these two Bills already, without any special Order, a debate upon an entirely different matter—namely Judicial Appointments. If that be so, does it not answer the Question put to you, Sir, by hon. Members, whether that Order did not lay down that whenever the Habeas Corpus Act Suspension Bill came to an end the Arms Bill must necessarily follow, or else the Order as to urgency would terminate? Does not the fact that the House has already interposed a debate upon a different subject between these two Bills, without objection being raised, abrogate the Rule?

SIR R. ASSHETON CROSS: I must remind the right hon. Gentleman that what was done in regard to the discussion upon Judicial Appointments was done by the leave of the House, by a special arrangement between the Prime Minister and myself, to allow Progress to be reported upon the Protection of Person and Property (Ireland) Bill, for the express purpose of considering the question of Judicial Appointments. Progress was reported in Committee upon the Protection of Person and Property Bill for the express purpose of taking the other debate.

MR. BERESFORD HOPE: There is one Question, Sir, upon which I wish to have your ruling, in order to remove some of the misapprehension which appears to prevail in the House. The point upon which I ask for your ruling is, whether the Resolution of the 25th of January does not comprehend two things—one, the Resolution of the House giving priority to two certain specific questions, and the other the going on with such certain Business *de die in diem;* and whether the two do not correspond with each other, or are intended to correspond with each other, so that the right hon. Gentleman the Chief Secretary to the Lord Lieutenant cannot put off the Arms Bill, as one of those specific questions, until Tuesday, and thereby break the action of the House from day to day, without the antecedent permission of the House to do so? I wish to know whether by putting it off until Tuesday the Government are not thereby breaking the Resolution to proceed with those questions *de die in diem*, and setting aside the antecedent necessity of having a Resolution of the House for such relaxation?

MR. GIBSON: I wish, by one short Question, to test the validity of the contention. If the Minister can by his *ipse dixit* postpone the Arms Bill until Tuesday, could he postpone it until the 1st of May, and would the Order for its priority be suspended during the interval, and then revive in all its vigour?

MR. SPEAKER: In answer to the right hon. and learned Gentleman, I have to say that I apprehend it is open to the right hon. Gentleman the Chief Secretary to the Lord Lieutenant to postpone his Motion until Tuesday, or any other day he may think fit. I have also to say that I apprehend this discussion would not have arisen if the right hon. Gentleman had postponed his Motion till Monday next. What would have happened in that case would have been this—that Motion, by my direction, would be placed at the head of the Orders of the Day, and would be the first called on. But the House cannot compel any hon. Member to proceed with a Motion, and it would have been open to the right hon. Gentleman to postpone it until a future day. This discussion has arisen in consequence of the right hon. Gentleman the Chief Secretary proposing to postpone his Motion till Tuesday next. If he had postponed it until Monday next, there would have been no difficulty in the matter.

MR. ARTHUR O'CONNOR: May I ask the noble Lord, Whether the Government propose to take any Votes in Supply on Monday night, or whether the House is only to go into Committee, to enable the right hon. Gentleman the Secretary of State for War to make his Statement?

MR. CHILDERS: I think I ought to answer that Question. What I propose to do on Monday, if I am able to make my Statement in Committee, is not to take any money Vote whatever, but to give the House ample time to consider the very important Statement which it will be my duty to make. I shall, however, ask the House to allow me to take the Vote for men, because I have reason to believe there will be no material discussion upon it; and it is most important that the Mutiny Bill should be introduced in a few days. But as far as regards the Votes for money, and the question of organization, I should not think of taking any Vote on Monday next.

MR. JUSTIN M'CARTHY: When the Chief Secretary moves the postponement of his Motion, will it be in the power of any hon. Member to discuss the question?

MR. SPEAKER: If the Motion is not made it cannot be discussed.

MR. WARTON: May I point out that the question whether the Government can or cannot in any way alter or evade the Rule of the 25th of January depends on one single word in the Resolution, and upon a syllable in that word? The word is not "unless" the House shall otherwise Order, but "until" the House shall otherwise Order.

MR. RITCHIE: I understand you, Sir, to have said that the right hon. Gentleman may place his Motion on the Paper for Monday. I want to ask, Whether, if the Motion appeared on the Paper for Monday, and had been placed there, in accordance with the Order of the House, as the first Business to be taken, the right hon. Gentleman could have postponed it without the sanction of the House?

MR. SPEAKER: The House cannot compel an hon. Member to proceed with a Motion.

MR. ARTHUR O'CONNOR: I beg to give Notice that when the Vote for men is proposed I will move a reduction of 5,000 in the number of men.

MR. O'DONNELL: I wish to give Notice that on the Motion for going into Committee of Supply I will call attention to the refusal, by Irish magistrates, to grant bail for bailable offences, and will move a Resolution.

MR. ANDERSON: May I ask, Mr. Speaker, if, in the event of Her Majesty's Government adopting your suggestion, and placing the Notice upon the Paper for Monday, thus giving it precedence of all the Orders of the Day, it would not become a dropped Motion, which could not be restored to the Paper, except with the consent of the House, in the event of the Government not proceeding with it on Monday?

MR. J. R. YORKE: I wish to ask, Sir, Whether, if the right hon. Gentleman the Chief Secretary fixes his Motion for Monday, it will have precedence of all other Business?

MR. SPEAKER: If the right hon. Gentleman the Chief Secretary to the Lord Lieutenant thought proper to place his Motion for Monday next it would take precedence of all other Business; but, as I have already stated, the House cannot compel an hon. Member to proceed with a Motion. A Motion is not in the same category as an Order of the Day. In regard to an Order of the Day any hon. Member can move it; but in the case of a Motion the House cannot compel the hon. Member who gives Notice of it to proceed with it, but he can postpone it if he chooses.

LOCAL TAXATION (SCOTLAND).

GENERAL SIR GEORGE BALFOUR asked the Lord Advocate, Whether arrangements can now be made for obtaining the Annual Report of the Local Taxation of Scotland in a form corresponding to the Returns of Ireland, England, and Wales?

THE LORD ADVOCATE (Mr. J. M'LAREN): The Returns referred to by my hon. Friend are made under the authority of statutes, and a Bill has been presented in the other House of Parliament to authorize the collection of corresponding Returns from Scotch local authorities.

ORDERS OF THE DAY.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL.—[BILL 90.]

(*Mr. W. E. Forster, Mr. Gladstone, Sir William Harcourt.*)

THIRD READING. [ADJOURNED DEBATE.]

[SECOND NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [24th February], "That the Bill be now read the third time."—(*Mr. William Edward Forster.*)

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Justin M'Carthy.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

MR. MOLLOY said, he must, in accordance with what he felt to be the bounden duty of every hon. Member representing an Irish constituency, protest to the last, in their name and his own, against the passing of the measure. It seemed to him useless to do more than give expression to that protest in a few words; but he thought it incumbent on him to point out to the House the grounds upon which he opposed it. If he had believed for one moment that the measure was necessary, or that any good could result from it, he should have considered it his duty, not exactly to have supported it, but to have remained silent with regard to it; but, in view of what had taken place in that House, he had come to the conclusion that the whole of the Bill was based upon panic and exaggeration; and that panic seemed to have been begun by the right hon. Gentleman the Chief Secretary for Ireland himself, because, on the 27th December, what was being done in Dublin was according to his orders. He (Mr. Molloy) took a walk from his hotel to the Castle, and he then found the gates closed, and the guards doubled, and to all intents and purposes Dublin was in a state of siege. There were no less than 6,000 troops within the walls, and all the guns were loaded. The Press of England, too, had represented every trivial occurrence as one of alarming character; but if the House knew the sources whence that information came it would be of a different opinion with regard to the state of Ireland. As an instance of the system of exaggeration practised, he would mention that some time since he called to see a friend of his in London (a gallant colonel in the Army), and not finding him at home he left a *quasi*-threatening note for him, admonishing him not to be out again when he returned. By some means the note got out of the possession of his friend, and the next he (Mr. Molloy) saw of it was its appearance in the Paris papers. *The Figaro* of that city actually held up that as a genuine example of the threatening letters by which landlords were intimidated in Ireland. This incident should convince hon. Members that every threatening letter was not necessarily the forerunner of outrages. Many of these letters, of which so much had been made, had been written in Trinity College, Dublin, by students who were more prone to joke than to study. The Chief Secretary for Ireland had referred on several occasions to the statements of Judges and Grand Juries in Ireland; but he (Mr. Molloy) never yet heard him repeat that which would have been evidence, not on his side, but against him, therefore he would call attention to the fact that on the 21st January, at Tullamore, the Grand Jury agreed to a resolution calling the attention of Government to the light character of the crimes which were before them, and protested against the baseless imputations which had been made against the Irish people as the ground for suspending their Constitutional liberties. Notwithstanding the fact that there were only two dissentients from that resolution, the County Court Judge declined to allow the resolution to be put, or to allow any publication of the resolution at the end of December, thus burking the expression of a most important opinion. What would be the result of such a panic-stricken policy? It would make people think that things were much worse than they were; and when the right hon. Gentleman the Secretary of State for War (Mr. Childers) was asked if he had given directions to guard all the armouries against possible attacks, he replied, almost in a whisper, that he had, and then begged the hon. Member who put the Question not to press him further on the point, just as if he was in possession of the most dangerous schemes for the destruction of the British power. The right hon. Gentleman the Chief Secretary to the Lord Lieutenant declared, when introducing the Bill, that he would justify its introduction by the list of the outrages that had been committed, and which he was then in possession of; but, when it came to the point, he had nothing to depend on but his Returns, which had since been practically demolished, and turned into the most absolute ridicule. As to the speech of the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright), who would not, in his (Mr. Molloy's) opinion, have spoken at all if he had not been greatly pressed by his Colleagues, it contained one of the most extraordinary theories ever propounded. Putting the outrages entirely aside, the right hon. Gentleman said that he had received letters from Ireland which justified the introduction of coercive measures. It was surprising that the right hon. Gentleman had no stronger ground for advocating the measure than private correspondence. What would have been thought if he (Mr. Molloy) and his Friends had opposed the measure on similar grounds, or if any humble and private Member of Parliament had got up and pleaded in support of his case that he had received a number of private letters, the contents of which and the names of the writers of which he refused to give. Why, he would have been greeted with loud laughter and ridicule. But when a responsible Minister stood up and said the same thing, they must blindly accept it, and follow his lead. It was a fact perfectly well known—it was discussed in the Lobbies and smoke room, and elsewhere—that the Government, by the course which they had adopted, had put the greatest strain upon their Radical supporters which had ever yet been put upon them by asking them to vote for a measure which was contrary to their conscience. It was well that the Government and those outside the House should know that the Radical Members had supported the Government in that measure, not because they believed in its necessity—not because it was a wise act on the part of the Government—but simply because they would not incur the responsibility of defeating them, and because they thought the present Government was the only one likely to consider the claims of Ireland. They argued to themselves whether it would be good to throw out the present Government, when there was no other Government with which they could ally themselves. They therefore supported the Government solely and simply because they wished to keep the Liberal Ministry on the Treasury Benches. That alone was one of the strongest condemnations of the introduction of this Government Bill, and the very poor case the Government had made. But there was a still stronger circumstance, by which a worse result had been brought about, in the history of the Bill. The Government, in their anxiety to carry this measure, in the panic into which they had seemed to have fallen, were not content until they had succeeded in placing restrictions upon the freedom of debate. The new Rules or arrangements, accordingly, had been introduced. Then followed the curious spectacle, which must have been painful to every Liberal, of the Leader of a Tory Opposition advocating rights which a Liberal Government was seeking to curtail. The Tories were the supporters, as against the Liberals, of liberty of speech and the rights of minorities. But the fact was that the Government had only been induced to bring in the Bill because they were afraid to meet the Opposition without some such measure. At the end of last Session the Chief Secretary for Ireland, in discussing the Compensation for Disturbance Bill, said that if the Government were compelled to introduce a measure of coercion, they would not do so without, at the same time, bringing in a Land Bill. All had hoped that the promise so made would have been carried into effect; but how had the right hon. Gentleman kept his promise? He had laid upon the Table a Coercion Bill, the worst and most stringent ever brought before the House. Where was the Land Bill? Where was the distinct and solemn promise which the right hon. Gentleman made to that House at the end of last Session? All they knew was that the promise had not yet been kept, though every opportunity had been given the right hon. Gentleman. He (Mr. Molloy) would repeat, that the right hon. Gentleman had simply gone headlong into the Coercion Bill, the worst and the hardest ever introduced to that House. It might, however, be said, "What suggestion have you to make?" He could give no better answer than by referring to the words, which had since become famous, of the right hon. Gentleman the Chancellor of the Duchy of Lancaster, uttered during the Recess, that "force is no remedy." He (Mr. Molloy) was in Ireland at the time those memorable words were uttered, and soon afterwards he addressed his constituents at a public meeting. He wished the Chief Secretary for Ireland could have been present at that meeting. The effect produced was magical. The people were full of joy and hope. He felt sure that if the right hon. Gentleman could have realized the feelings of that meeting; if Her Majesty's Government could have been able to see and appreciate fully the magic effect which those words had on the people; if they had seen how much hope and peace it brought them they would not have taken the course they had, but would have commenced the Session with a measure of remedy, and not of coercion. He could not describe the pain which the proceedings of Her Majesty's Ministers had caused himself and others. There was only the painful duty left them to protest against the measure. They must continue that protest, though, from what he saw around him, he felt it had about as much effect on the minds of hon. Gentlemen as though they were speaking to the four brick walls within which he (Mr. Molloy) was then speaking, with not a single person to reply. It would be quite as useful to speak to those walls as to the Government in their panic-stricken frame of mind. He should vote against the third reading.

Lord GEORGE HAMILTON said, he was one of those who had hitherto given silent but consistent support to Her Majesty's Government in all the stages of that Bill; and, indeed, he would not speak that night did he think his doing so would impede its progress. But, as he understood the whole of that evening was to be given up to the final stage of that drastic Bill, perhaps the House would allow him a few minutes of their attention. During the past autumn, with the exception of a very few weeks, he was continually in Ireland —during the whole period between the close of the late Session and the summoning of Parliament in January. He could confirm, so far as his own personal knowledge and correspondence went, that, sad and extraordinary as had been the statements made by Her Majesty's Ministers as to the condition of Ireland, those statements rather underrated, than exaggerated, the position of affairs in certain portions of that island. Now, in reply to the statements of Her Majesty's Ministers, there had been one steady reiterated charge on the part of the Irish Members, and that had been to the effect that Her Majesty's Ministers had been guilty of gross exaggeration; that the Chief Secretary to the Lord Lieutenant had been studying melodrama under some tragedian; that the Home Secretary had made statements in that House for the purpose of terrifying in which he himself did not believe; and that, in fact, the main object of Her Majesty's Government had been to create panic and prejudice against the Irish people, in order to enable them to pass that drastic Coercion Bill. Well, he (Lord George Hamilton) believed that, so far as he was concerned, and so far as concerned most of them on the Conservative side of the House when there was a conflict as regarded matter of fact between a responsible Minister and an irresponsible Member of the House, they were inclined to support the responsible Minister. But, if any one single thing could give colour, form, and consistency to the charges which the Irish Members had made that Her Majesty's Government had been guilty of gross exaggeration—if anything could do that, it would be the abandonment of the Arms Bill. [*Laughter.*] Right hon. Gentlemen laughed—perhaps forgetting what they had been told. The Prime Minister had said that the first conditions of a civilized and Christian country were wanting in Ireland. The Chief Secretary for Ireland had spoken of the village tyrant who domineered in certain parts of Ireland, and whom it was necessary to suppress. The noble Lord the Secretary of State for India had used language as strong, saying that miscreants were able to terrorize over their neighbours; and the right hon. Gentleman the Secretary of State for the Home Department, on the previous evening, in his impressive oration, had brought home to them the dangerous character of the conspiracy with which he had to deal. The whole point of all these arguments was that a certain portion of the people of Ireland were in possession of arms, and were able to terrorize and domineer over their neighbours. Not only that, but the right hon. Gentleman, in his speech last night, had used this expressive phrase—"You must stamp upon these men, the enemies of society, as you would upon vipers." He (Lord George Hamilton) thought the right hon. Gentleman had used the word viper for a special reason. The viper was innocuous, if they drew its fangs. It would hurt no one any more than the most harmless snail; and the object of the Arms Bill was to prevent the people from getting——

MAJOR NOLAN rose to Order, and asked Mr. Speaker whether the noble Lord was in Order when he advocated the introduction of an Arms Bill on the Motion for the third reading of the Protection of Person and Property Bill?

MR. SPEAKER: The observations of the noble Lord are not irrelevant to the Bill before the House.

LORD GEORGE HAMILTON, in continuation, said he had not the slightest desire to offend against the Rules of the House by entering into a discussion of the Arms Bill; and he believed he should be able, in the few remarks he had to make, to confine himself to the ordinary Rules of debate. The whole argument of the Government had been that they had met with difficulties caused by the possession of arms enabling these people to commit outrages, which might be removed if they were able to pass an Arms Bill, and if they postponed that measure, he considered they would render themselves open to the charge which had been brought against them by the Irish Members—namely, that they had greatly exaggerated the existing state of affairs for the purpose of influencing the English people against the people of Ireland. He had been much struck by hearing hon. Members opposite rise and declare that they supported this measure of coercion with the utmost pain and reluctance; but, if that feeling was genuine, would they follow him for a short time whilst he showed them how that pain and reluctance could have been spared, and how they could have prevented the necessity of suspending the Habeas Corpus Act in Ireland for the next 18 months? They had heard a good many nursery rhymes quoted in the course of the debate; but there was an old saying and a very short one, and which was peculiarly applicable in this case—"A stitch in time saves nine." Could anyone doubt that, if the Government had pursued another course in the present Irish difficulty, the House would not now have been discussing this Bill? The Opposition, in supporting that Bill, was placed in a very difficult position. The Liberal Party had declared that their opponents were always in favour of coercion—that they were always bringing coercive measures forward, and, to use an expression of the right hon. Gentleman the Vice President of the Council (Mr. Mundella), they did not care how they got it so long as it was "hot and strong." Well, now the right hon. Gentleman's experience in the House was the same as his (Lord George Hamilton's); they had both been in Parliament 13 years, and during that time Lord Beaconsfield had been in Office six years and a half, and the present Prime Minister had occupied Office for the same period. The present Prime Minister had had the advantage of periods of extraordinary prosperity, but Lord Beaconsfield had had to lead during periods of extraordinary depression; but let them mark their relative contributions to coercive legislation for Ireland. Including the present Session, five coercive measures had been proposed, of which four emanated from the present Prime Minister and one only from Lord Beaconsfield. But that was not all. Those introduced by the present Prime Minister were enormously vigorous and stringent, and added greatly to the existing law; whereas the Bill of Lord Beaconsfield immensely relaxed the existing law. He wanted to know how hon. Gentlemen opposite who talked of making it "hot and strong" accounted for the important fact that, whenever the two right hon. Gentlemen, the Prime Minister and the Chancellor of the Duchy of Lancaster, came into Office, these severe measures immediately became necessary? They were told that what was wanted was remedial legislation. There were no two men who made larger promises in that direction than those right hon. Gentlemen. This is not all; for in one of his speeches on this subject, the Prime Minister pressed home this serious charge on the Land League; he said—"The steps of crime dog the steps of the Land League." The right hon. Gentleman enforced the argument by figures, and he arrived at the conclusion that some restriction was necessary and must be imposed on the Land League. It struck him (Lord George Hamilton) at the time that this was a rather dangerous argument for a Member of the present Government to use; because it was an argument capable of application to others than Land Leaguers. It was a melancholy, but undeniable fact that the return of the Prime Minister and the Chancellor of the Duchy of Lancaster to Office was coincident with the outbreak of agrarian outrage in Ireland. The figures were very remarkable. In 1866 the Conservative Party came into Office. The Habeas Corpus Act was suspended in that year; but it did not refer to agrarian outrages; and therefore the fluctuation of figures in his Return was not affected. In 1866 the agrarian outrages were 87; in 1867 they were 123; in 1868—the Conservatives left Office in December of that year—they were 160. Then the present Prime Minister and the Chancellor of the Duchy of Lancaster came into Office, and the change was marvellous. In 1869 the agrarian outrages were 767; in 1870 they were 1,329; but those figures should not, in any way, convey to the House any idea of what was the condition of the country in 1870. In the first three months of that year there were upwards of 1,050 outrages; and it was then said, as now, that remedial legislation ought to precede coercion. That, in fact, was in 1870, and what was the result? Why, that the second reading of the Land Bill of that year had to be postponed until a drastic Coercion Bill was pushed through the House. It proved insufficient; and the next year the most stringent Coercion Act ever applied to Ireland—namely, the Westmeath Act, was passed, and the outrages to a certain extent diminished. The Liberal Party left Office in 1874; and the Conservatives came back. The outrages in 1874, under the late Government, were 213; and in 1875, 136. In 1875 the then Conservative Chief Secretary for Ireland, the right hon. Baronet (Sir Michael Hicks Beach), removed the more oppressive portions of the Coercion Act—such as the Press-gagging Clause and the Curfew Clause. In 1876 the outrages were 212; in 1877, 236; in 1878, 301. Then came a very bad year—a year of most extraordinary depression in agriculture and much agitation. The outrages in 1879 were 863. Then came back the present Prime Minister and the Chancellor of the Duchy of Lancaster, and the outrages in 1880 were 2,509. How was that to be accounted for? It could not be the result of accident. This phenomena did not occur with ever-recurring regularity by accident. History did not repeat itself like that, and the true reason, not a pleasant one, was this—that when Lord Beaconsfield was in Office his political opponents in Opposition allowed themselves a licence of language and action which was incompatible with the subsequent discharge of their duties as Ministers of the Crown. Twice, in his (Lord George Hamilton's) short experience, had the leading Members of the Liberal Party, with marvellous skill, inflamed every passion and appealed to every prejudice, and by the inflaming of the passions and the arousing of discontent they had been floated back to Office; and then what happened? Twice the same thing had happened. A few months afterwards a cry came forth from the other side of the Table asking those who had been turned out of Office to aid the Government in coercing those who had put the Government into Office. He had no sympathy whatever with the Land League. He thought it much to be deplored that men of the unquestionable ability and energy of those who formed the Land League should devote themselves to an agitation which had borne disastrous fruits in Ireland; but still the other night he did feel a little sympathy with two hon. Members of that Party. The hon. Member for Meath (Mr. Metge) quoted extracts from the speeches made by the present Prime Minister and the Chancellor of the Duchy of Lancaster; and he put this question to the Treasury Bench —"Under this Bill any of us is liable to be sent to prison if we incite to a breach of the law. If I adopt language similar to this, should I be sent to prison for 18 months?" There was no answer from the Treasury Bench, for it was not in the power of anyone to deny that language of the nature of that used by those two right hon. Gentlemen was calculated to lead to a breach of the peace. Was it right, then, for right hon. Gentlemen to use language like that, and then, when they got back to Office, propose a Bill to the House to stringently punish those whom they had incited to commit a breach of the peace? He did not wish to dogmatize as to the rules on which Party warfare should be conducted. No one could doubt that there was a bad side to Government by Party; still, hitherto, there was one redeeming safeguard, and that was the sense of responsibility with which the Leaders in Opposition were supposed to speak. That responsibility arose from the knowledge that, on the resumption of Office, they might be called upon to test the sincerity of their language in Opposition. If that safeguard were once destroyed; if a man possessed of extraordinary rhetorical power used, in Opposition, polemical language which could not afterwards be defended, then it seemed that the healthy instincts and safeguards of English Party life were swept on one side. The Leaders could say what they liked; and the rank and file, under the influence of the Caucus, could vote as they were told; and then they would have realized — fully realized — the principles laid down by a distinguished Whig in Opposition—that the main function of the Opposition was to oppose everything, to propose nothing, and to turn out the Government. He might be told that the Tory Party always objected to anything approaching to agitation, but that, without agitation, it would not be possible to achieve in the future reforms similar to those achieved in the past. That might be quite true; but it seemed to him that whoever embarked in agitation, whether to become a Minister of the Crown or simply to obtain popularity, did so at his own peril. Agitation was very much like fire—it was a very good servant, but a very bad master. The Liberal Party, during the last three years, found agitation a very useful drudge. They had taxed its capacity to the utmost; but now that they were in Office they proposed to imprison it. Indeed, when he looked back to the inflammatory speeches delivered by many Members of the Government, he confessed that he did not wonder that they were reluctant to apply to Parliament for coercive legislation. Having been in Ireland during the whole of the autumn, he could truly say that there were certain incautious phrases dropped by Members of the Government, which did almost as much to promote the Land League as the speeches of any members of that organization. The almost universal opinion of the farmers in Ireland was that the Government were conniving at that agitation. The argument they used was, that the Government wanted to pass a strong Land Bill, and therefore they let the movement gain a certain head in order to frighten the landlords. It was said, over and over again—"If the Government are in earnest, and wish to stop the agitation, and if, in their opinion, it is a conspiracy, then why do they not prohibit the meetings?" He had heard a good many attacks made on the Irish tenants. Those tenants were, last autumn, subject to influences which it would be difficult to describe. As an hon. Friend of his had said, in an eloquent speech at Chesterfield, the two incentives which most animate human action — cupidity and fear — were remorselessly applied to the Irish tenant. And, remembering the inaction of the Government, both by speech and deed, the wonder was, not that so many of the tenants refused to pay rent, but that so many of them did pay rent. Now, what would be the result of that Coercion Bill? Since those discussions began, he was bound to say there had been a very remarkable change in the demeanour and language of the Cabinet, as compared with the speeches they made last year. But what they had a right to complain of was this—if, last year, the Government had shown one-half the energy they now displayed—if they had then spoken in the same voice as they now did, the House certainly would not have been considering this Coercion Bill. He did not know whether the House recollected the solemn words which, on the first occasion that this Parliament met, the Government put into the mouth of the Sovereign. In a paragraph of the Queen's Speech, referring to Ireland, it was said—

> "My desire to avoid the evils of exceptional legislation in abridgment of liberty would not induce me to forego, in any degree, the performance of the first duty of every Government in providing security for life and property;"

and the speech went on to express a determination "to fulfil this sacred obligation." There was, therefore, a most distinct and solemn pledge given by the Government that nothing would, under any circumstances whatever, induce them to forego the sacred obligation of providing for the security of life and property. Well, during the months of October, November, and December, many requests were made to the Government from different quarters to summon Parliament in order to strengthen the law and enable it to cope with the dangers which were then daily increasing in Ireland; and one defence, which was repeated in hundreds of newspapers, and on many platforms, by the supporters of the Government, was, that the ordinary law was amply sufficient to deal with those evils. It was further pointed out that the Government had solemnly pledged itself, the moment the ordinary law proved insufficient, to apply to Parliament for additional powers. What had become of the solemn obligation so undertaken last year? By their own admission, by their own action at the hands of the right hon. Gentleman the Chief Secretary for Ireland, they had admitted that, for the last three months, law had been broken; because, in reply to a strong request made from below the Gangway, by the hon. Member for Swansea (Mr. Dillwyn), the Bill had been made retrospective, or retro-active, to the 1st of October last. What did that mean, but that from the 1st of October, in the opinion of the Government, the ordinary law had been insufficient? If the ordinary law had, after that time, been sufficient, the Bill ought not to have been thus made retrospective. If it was insufficient, the Government had broken one of the most solemn pledges ever given to Parliament by a Ministry. He did not blame the Chief Secretary to the Lord Lieutenant. That right hon. Gentleman had, he believed, been a great deal too much attacked and abused. He believed that, during the past four months, no man had been more anxious to do his duty than the right hon. Gentleman; but they knew there had been obstruction in the Cabinet. And what had been the results of the Government not redeeming the solemn pledge which, last year, they gave to Parliament? What had we gained? What had we lost? Well, the unity of the Liberal Party had been maintained for three months longer, and the Chancellor of the Duchy of Lancaster, having had time given him for reflection on his celebrated saying that "Force is no remedy," had evidently come to the conclusion that it was unwise, and had made two eloquent speeches in exactly the opposite sense. That was all that had been gained; but what had they lost? They had allowed a social convulsion to take place in Ireland; they had allowed social ties to be broken, and an amount of mischief to be done, which would not be repaired for many long years to come. They had been compelled, in consequence of the increase of outrages which their inaction permitted, to make appeals to the people of England and Scotland, which had undoubtedly promoted a bad feeling towards Ireland, and the progress of that country had been thrown back for many years. They desired to encourage the flow of capital into Ireland, and to discourage absenteeism; but, by allowing a dangerous agitation to run its course unchecked, they had dealt a fatal blow at the confidence indispensable to the introduction of capital into that country; while, on the other hand, they had enormously encouraged absenteeism. That was not all. The House had been deprived of that freedom of speech which for centuries had been its boast; and, having lost all these, the Government, having failed so long to fulfil their solemn obligation, they had been at last obliged to come down and propose what was almost the most stringent and drastic measure of coercion ever applied to Ireland. What was the cause of that? Why, that a certain number of Members of the Government were so tied hand and foot by the unwise speeches they had made against the late Government that they had not the courage to perform their first duty. He protested against that conduct and that policy. They had gone back 11 years. The House was, in regard to Ireland, exactly in the same position as it was in 1870. The most profuse and reckless promises had then been made by the present Prime Minister. A settlement of the Land Question was to be effected once and for ever. The agitation which they had aroused when in Opposition created such a state of affairs that their Land Bill was succeeded, as it had been preceded, by a drastic Coercion Act. In course of time the Liberal Party went out of Office, and the Conservatives came in. Then exactly the same course of agitation began. They were now to have another Land Bill preceded by a drastic Coercion Bill. The very success of the policy of agitation brought the more speedy retribution. In these debates they had seen a natural exasperation on the part of the Irish Members, whom it was proposed to coerce; and that was not to be wondered at, considering that it was the Irish vote which was, perhaps, almost the most effective agent in bringing the Government into power. ["No, no!"] Why, it was regarded as of so much value to hon. Gentlemen that, in order to obtain it, they had promised to support the appointment of a Committee which they knew would not be granted. They had scenes, in consequence, of the Obstructive practices of certain hon. Gentlemen from Ireland. Now, did anyone in his senses suppose that that Obstruction would have obtained its present dimensions if the talking powers of the Irish Members had not been utilized when the Conservatives were in Office? He asked, were they always to go on in the same weary track? Were they perpetually, whenever the Liberal Party was in Opposition, to have the Irish people so excited by agitation as to render all remedial legislation absolutely useless? If they believed it was by remedial and just legislation alone that Ireland could be quieted, nothing could be more foolish than to excite expectation on the part of those for whom they were about to legislate which they could not satisfy. During the last autumn they had allowed the tenants all over Ireland to believe that a Land Bill would be introduced on their behalf, which would give them, at a very little cost, the land that they now occupied. The more moderate, the more sensible, the more in accordance with sound principles the Land Bill was, the greater would be the revulsion of feeling in Ireland. He did not say that the land system in Ireland was perfect. He durst say that there were bad landlords, just as there were bad persons among other classes. But who were the bad landlords? They were men who belonged to the same economical school as the right hon. Gentleman the Chancellor of the Duchy of Lancaster. The principles which had actuated that distinguished Gentleman with reference to the Irish Land Question had been this—to break up large properties and introduce landlords who would deal on commercial terms with their tenants. Well, they had broken up large properties in the Encumbered Estates Court. They had introduced a considerable number of landlords to deal on commercial terms with the tenants; and those were the people who had done all the mischief. Having done that, the Government now turned round and attacked the older landlords, who were admitted by the Royal Commission to be generally on good terms with their tenants. He did not wish, in any way, to anticipate the discussion which must, no doubt, take place upon the Irish Land Bill; but, at the same time, he would ask hon. Gentlemen opposite, who sat below the Gangway, and whose tendencies were naturally in favour of tenants and against landlords, not to believe all they were told about landlords. [Mr. LABOUCHERE: Hear, hear!] He was reminded by the cheer of the hon. Member for Northampton, who was one of those individuals who believed anything bad about landlords, of a singularly able speech which he made on the second reading. It consisted of contradiction and assertion. The contradiction applied to all the facts laid before the House by the Government; and the assertion to what he (Mr. Labouchere) had been told of the landlords. He referred to conversations which he had with landlords, since proved to be hypothetical, and announced that it was their intention to clear their estates. He (Lord George Hamilton) admitted that it would be inhuman to clear an estate; and he doubted if it was possible at the present time to do so. Most certainly, the man who did so would not find himself pecuniarily benefited by the transaction. He challenged the statement of the hon. Member at the time, and the hon. Member promised to furnish him with names. These he had received; but he would not mention the names; it was sufficient to say that both of them denied having had such a conversation. He had no doubt the hon. Gentleman fully imagined that he was justified in making that statement. He only mentioned it in order to show the extraordinary difference between the manner in which he dealt with evidence in his favour and evidence which was against him. The hon. Gentleman ought not to entertain the idea that all Irish landlords were bad. During a controversy which took place in Kerry a short time ago, one of the Land League leaders attacked Lord Kenmare, and indulged in some abusive language concerning his agent, Mr. Hussey. The last-named gentleman wrote to the Land Leaguer, expressing his surprise at this language, and observing that as Lord Kenmare was letting him a farm at £37, which he sub-let at £150, the sum which his Lordship asked for rent was not excessive. The gentleman who had made the attack on Lord Kenmare denied that he received as much as £150 for any farm which he had let; but it subsequently transpired that he had been receiving no less than £208, that he had turned out the tenant because he could not pay in full, had refused to give him one farthing of compensation, and had sued his securities for the last shilling. He (Lord George Hamilton) quoted it to show that, although there might be amongst the Land League men anxious to benefit the tenants, there were a good many who, either as middlemen or landlords, with tenants, had been very harsh in their dealings. In conclusion, he would say that he was afraid that by allowing the Land League agitation to run its course unchecked during the past six months, untold mischief had been done. Of course, the Government might, by that measure, restore law and order; but it could not do more. It was frequently said in that House that although the Irish had faults they had many virtues; and he thought he might say of them that there was not a more social people on the face of the earth. There was no country in many parts of which the relations between the different classes of the community were happier. But in many parts of Ireland there had been a complete social rupture. Although this Bill, and possibly the Land Bill which the Government might hereafter introduce, might do something to restore law and order, yet he felt perfectly certain that the ruin of the hopes of the tenants, which by the indiscretion of the Government had been unduly excited, and the recollection of the cruel tyranny which had been exercised by the Land League over all who opposed its sway, would in too many parts of Ireland, and, he feared, for many years to come, prevent that full revival of social concord and mutual trust without which he believed no community could permanently thrive or prosper.

Mr. LABOUCHERE said, he had listened to the speech of the noble Lord the Member for Middlesex (Lord George Hamilton) with great pleasure. He knew nothing in that House so disastrous as any alliance between those two Front Benches, and he was very glad to see signs that the alliance between them had come to an end. Speeches that had been made from the Treasury Bench by right hon. Gentlemen in whom he heard with horror welcomed with cheers (Mr. Labouchere) had, speaking generally, the greatest confidence, he had by hon. Gentlemen opposite in whom he had no confidence. He had, on the other hand, heard more than once speeches made from the Bench opposite praised on the Treasury Bench. Therefore, it was most refreshing when the noble Lord got up and gave what he called his support to Her Majesty's Ministers; and he (Mr. Labouchere) hoped Her Majesty's Ministers liked the support they received. The noble Lord stated that Her Majesty's Ministers had been the allies of the Land League, because they did not summon Parliament in October and bring in a Coercion Bill. He (Mr. Labouchere) ventured to differ from Her Majesty's Ministers in their political line of action; but he certainly did not blame them for not meeting in October to bring forward a Coercion measure, neither did he blame them for not immediately pushing forward an Arms' Bill. He would say the landlords in Ireland had been the allies of misgovernment in Ireland. Many of them, being magistrates as well as landlords, were charged with the administration of the law, and they did not put the ordinary law in force, because they hoped to induce the Chief Secretary for Ireland to bring in a Coercion Bill, without which they were never satisfied. The noble Lord said that though outrages increased during the last two years, it was only when the Liberal Ministry came in that they increased enormously. Liberal Members had their theory as to these enormous increases. They believed that these outrages increased last year because hon. Gentlemen opposite, in alliance with a few hon. Members on the Ministerial side of the House, gave courage to the Landlord League that existed in "another place." to throw out that excellent Compensation Bill, which the Chief Secretary for Ireland brought in, and which, if it had passed, they believed would have prevented the introduction of this Coercion Bill. The noble Lord complained that this one Coercion Bill was not to be followed by another. He (Mr. Labouchere) would only say that he hoped that the noble Lord was right in his anticipation that they would not have a Disarmament Bill brought before them at any time; but he, like the noble Lord, was not quite satisfied with Her Majesty's Government. The only difference between himself and the noble Lord was that, whereas the noble Lord objected to there being only one Coercion Bill brought in, he (Mr. Labouchere) objected to any Coercion Bill at all being brought in. Many hon. Members had voted for the second reading of the Bill in doubt and with hesitation, with the hope that it would be altered in Committee, and that its most objectionable features would disappear. It had, however, come out of Committee as it went in—one of the severest Coercion Bills that had ever passed through that House. Not only did it place the liberties of every Irishman at the foot of the Chief Secretary for Ireland, and enable him on mere suspicion to put them into prison and to keep them there, without even telling them of what particular crime they were accused; but it had a retrospective effect, although *ex post facto* legislation had been condemned by every writer on criminal jurisprudence since the legal murder of Strafford. The objectionable character of the Bill was still further heightened by the fact that the right hon. Gentleman was not satisfied with even its extraordinary powers being given him for this Session; but he asked for them for the next Session also. Why had the right hon. Gentleman asked for the power to be continued for so long a time? The right hon. Gentleman had said that probably it might not be necessary to suspend the Habeas Corpus Act for so long a time; but that possibly it might be necessary to do so, and therefore it was as well to give the power to suspend it for the full period at once, in order to save trouble. He (Mr. Labouchere) must confess that he had been surprised to hear such a doctrine as that proceed from the mouth of a Liberal Minister. Another peculiar feature in that Coercion Bill was that, whereas all other Coercion Bills had been directed against a class, this was directed against the whole people of Ireland, and had been persistently opposed by the majority of the Irish Representatives. The measure was, as it appeared to him, directed not only against the individual Members of the Irish constituencies, but against a considerable number of the Representatives of those constituencies. It was worth while asking how a Bill so bad and so illiberal ever came to be introduced into that House by a Liberal Ministry? The reply was, that the measure was not the Bill of the Liberal Ministry at all, neither was it the Bill of the Chief Secretary for Ireland. It was the Bill of territorialists in Ireland, of the magistrates who formed part of those territorialists, and of the permanent officials in Ireland, such as the Constabulary, who were the subservient tools of those who proudly termed themselves the "English garrison" of Ireland. There had been great congratulation among the Liberals when it first became known that so sound a Liberal as the right hon. Gentleman the Chief Secretary for Ireland had been appointed to that high Office, because it was believed that so sturdy a Liberal would try to govern Ireland upon very different lines from those adopted by former Ministers. They were not at first disappointed with the right hon. Gentleman. When he went over to Ireland first, he declined to have anything to do with the Peace Preservation Bill which his Predecessor had left him, and which the Conservative Party would have brought in, had they remained in Office. The right hon. Gentleman, in putting the measure aside, had said that he would not commence his career in Ireland by bringing in a Coercion Bill. When the right hon. Gentleman returned to this country, he brought in the Compensation for Disturbance Bill instead, a measure which met with the greatest approval on the Benches near him. That Bill had passed that House; but it was defeated in "another place" by the combined influence of the "Landlord League" of England and Ireland. When that occurred the Land League had to take up the matter. And, in connection with this point, it appeared to him (Mr. Labouchere) that several hon. Members of that House had mixed up two things which were totally distinct and separate —namely, the Land League in Ireland

and Fenianism in America. He hoped that the right hon. Gentleman the Secretary of State for the Home Department, whom he was glad to see in his place, was listening to his observations. No doubt, at one time, Fenianism was a powerful organization in Ireland; but this was not at all the case now. No doubt, there were certain views held by what were known as the Fenian head-centres in that country; but, to the mass of the people, the association had represented the only organization which could give any practical effect to their aspirations for Land Reform. There were, therefore, a good number of people who joined the Fenians simply because they were in favour of a reform of the Irish Land Laws, and of such a modified form of Home Rule as was consistent with the unity of the Empire. When the hon. Member for the City of Cork (Mr. Parnell) went to America, he came into communication with Mr. Devoy, who was undoubtedly a Fenian, and with Mr. Davitt, who was undoubtedly a Land Leaguer, and had entirely given up his connection with the Fenians. Mr. Davitt had protested against outrages, and whenever it was understood that it was possible that something disagreeable might be done to a landlord he had used his influence to prevent it taking place. The House did not know what Fenianism really was at the present moment. The new York Fenianism was really an organization of some 20 persons, who found it an exceedingly good speculation to live upon the Irish waiting-maids and nurserymaids of that city. These men collected subscriptions —they might call it a "Skirmishing Fund," or whatever they liked; but the subscriptions went, in the main, into their own pockets to enable them to live in luxury. Occasionally, of course, in order to keep up the flow of contributions, they found it necessary to do something, and sometimes to even send emissaries to England. He did not, however, believe that those emissaries had committed any crime during the last two years, not because they would not do so, if they believed that they could perpetrate it in safety, but because they liked a whole skin, and had no idea of risking it. Very likely the tin of dynamite that had been discovered in a London square had been placed there by a Fenian, so that they might say in New York—"See what terrible fellows we are, and how narrowly London escaped being blown up." He appealed to hon. Members opposite to say whether the condition of Fenianism in New York was not exactly as he had described it. [Mr. ARTHUR O'CONNOR: We do not know anything about it.] Although quite as innocent of any communication with the Fenians as the hon. Member was, he (Mr. Labouchere) knew a little more about the organization of the association than the hon. Member did; and the right hon. Gentleman the Secretary of State for the Home Department would probably bear out his statement that the move was quite a childish one, and there was no necessity for the country to be so afraid of it, for these people were perfect children—malicious children, no doubt —whom it was perfectly absurd to dignify by calling terrible conspirators. The Irish Land League, however, was a totally different body, who sought to obtain specific legal reforms by passive resistance to the payment of what they considered to be unjust rent. The entire scheme of the Land League was opposed to all outrage, which, its members believed, did their organization positive harm. He believed, with the Chief Secretary for Ireland, that the outrages were committed by the village ruffians. It was probable even that some of the outrages in Ireland might have been perpetrated by Fenian emissaries from New York for the purpose of bringing discredit upon the Land League, of whom they were jealous for taking money of which they got no share. There could be no doubt that outrages occurred; but they were exaggerated, and put down by the landlord class to the Land League, because they hated the League more than they did Fenianism. They knew they had nothing to fear from Fenianism; but that was not the case with the League, which attacked them in that which was their dearest interest—namely, their pockets. The landlords, therefore, urged on the right hon. Gentleman to bring in this Bill, knowing well that he was no longer the sturdy Liberal he had been before going to Ireland. He had been demoralized, and had lost his nerve in the baneful atmosphere of the Castle at Dublin. The right hon. Gentleman came back from Ireland in November last with a list of outrages which had been furnished to him by the permanent officials at the Castle, and appealed to his Colleagues in the Cabinet to call Parliament together in order that he might bring in a Coercion Bill. That was refused; and the right hon. Gentleman went back to Dublin, whence he returned in December, and again preferred a request to his Colleagues, similar to that which he had previously made, and which had been refused by them. At that juncture the presence in the Cabinet of two right hon. Gentlemen, whom he (Mr. Labouchere) might safely describe as the political patron saints of his calendar, the Prime Minister and the Chancellor of the Duchy of Lancaster, led many hon. Members, and the greater majority of Liberals, to believe that a proposal for coercive legislation would be accompanied by remedial measures; for, as was well known, both of those right hon. Gentlemen had on many occasions opposed the enacting of Coercion Acts pure and simple. But they had, on that occasion, to face their right hon. Colleague, who had come back from Ireland as the mouthpiece of the permanent officials and the landlord class in that country. The consequence was that when they were told by the right hon. Gentleman that he was convinced that it was impossible to govern Ireland except by coercion, the two right hon. Gentlemen to whom he (Mr. Labouchere) had referred as his political patron saints instantly succumbed, forgetting that their Colleague himself had become demoralized by the baneful influence of the atmosphere by which he had been surrounded. He (Mr. Labouchere) was very sorry for it, because many hon. Members must have noticed from their subsequent utterances that the hearts of the two right hon. Gentlemen were not in the work to which they had put their hands. Well, the Bill, in the end, was introduced, and in his speech on bringing it in, the right hon. Gentleman said it was based, in the main, on outrages which he stated had come to his knowledge; but it was afterwards admitted that those outrages were manufactured.

MR. W. E. FORSTER: Certainly not.

MR. LABOUCHERE: But I remember the right hon. Gentleman, in great frankness, admitted that he really had not seen them till they appeared on the Return.

MR. W. E. FORSTER: I told the House, over and over again, that the information I had obtained was separate from these Returns, and was much fuller. Generally speaking, the Returns furnished to hon. Members were shorter, and, consequently, very much understated the facts.

MR. LABOUCHERE said, that it was a pity that, as the right hon. Gentleman rested his case almost entirely on outrages, he should have withheld the fuller details. It was hard on the House, and particularly on him (Mr. Labouchere), because he was so anxious to support the right hon. Gentleman's proposal, instead of being compelled to oppose it on the present occasion. There was one point in reference to this matter of outrages which had not been dealt with by the Government, and it was this:—Notwithstanding the number of real and vamped-up outrages on which the Bill was based, it was clear, from the statistics, that the number of all crimes against the person or property had been smaller in the last than for many preceding years. After the outrages had been exploded, the right hon. Gentleman fell back on the arguments, some of which were very astounding. For instance, although he admitted that the number of outrages committed in the month of November was not sufficiently large to justify the bringing in of a Coercion Bill, and yet he insisted that although the number had considerably decreased since that time the Bill should still be persisted with. It was said that one reason for bringing in the Bill was the difficulty of obtaining witnesses to prove the offences charged; but it must be well known that while, in many cases, it was not possible to bring forward witnesses to prove the offences charged, there had been no difficulty in getting evidence where it was competent to do so. Taking the case of threatening letters and threats as instances, what could be more difficult, in the one case, to prove authorship, or more easy in the other for a man to get out of paying his rent, by stating, unsupported, that he had been threatened by some persons unknown to him with death in the event of his paying. As far as the difficulty of obtaining evidence was concerned, he would remind the House that evidence showed the fact that in Ireland the number of convictions obtained for offences against public order was as great in proportion as in many civilized countries, and quite as great as was the case in France. This being so, he had certainly been astounded to hear the argument of the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright), that, though, in ordinary circumstances, guarantees for liberty were necessary, there was no necessity for them on the present occasion if hon. Members had confidence in the men now at the helm of affairs. He (Mr. Labouchere) had always imagined that, according to Liberal doctrines, it was necessary that liberty should be guaranteed by law, and that the laws ought not to be modified merely because a particular Government was good and necessary, even although it might be a Liberal Government, and that they might safely be left to carry out the laws at their good pleasure. Carry the right hon. Gentleman's argument to its ultimate consequences, and they might do away with jurors because they had confidence in the Judges. He was not sure that they would not have better laws than they were likely to secure this Session if the Prime Minister, the Chancellor of the Duchy of Lancaster, and the President of the Board of Trade were to form themselves into a triumvirate in order to legislate for the country; but yet he should consider it a monstrous proposal to say that Parliament was to be dissolved in order that those right hon. Gentlemen might make laws for the people. Again, they were told that they ought to vote for the Coercion Bill because it would be accompanied by a remedial measure. A great many hon. Gentlemen at that side of the House, he believed, laid that flattering unction to their souls, and, on that ground, excused themselves for supporting the Bill before the House. He had no doubt that some hon. Gentlemen opposite would support the Land Bill, if it were a good Bill; and the right hon. Gentleman the Leader of the Opposition (Sir Stafford Northcote) had stated that he would give the remedial measure his candid consideration. But they could gauge what that meant by a previous explanation, for the right hon. Gentleman made a speech during the Recess, in which he said that the "three F's" meant fraud, force, and folly. Well, if the Land Bill of the Government did not contain the "three F's" in some modified form, all he (Mr. Labouchere) could say was that it would not be received with any degree of satisfaction by his hon. Friends about him. If it did, they might reckon on the persistent opposition of the Conservative Party. But they were told that the Liberal Party were in a majority, and that was, no doubt, the fact. But did hon. Members recollect what occurred on the Compensation for Disturbance Bill of last year? If the Irish Members had not voted for that Bill, the Government would have had a majority of 7 votes only. If, then, the Irish Members opposed the forthcoming Land Bill, because it did not go far enough, and if hon. and right hon. Gentlemen opposite opposed the measure because it went too far, it was likely that the Bill would be defeated in that House. But the Bill, even if it passed the House of Commons, would have to go to "another place," where there was a Conservative majority, and where the noble Lord the Leader of that majority was master of the situation. The noble Lord to whom he referred told his followers with respect to the Hares and Rabbits Bill that they ought to allow it to pass, because it was best that they should reserve their strength for great occasions; and he had no doubt that the Land Bill would be considered a great occasion. But he (Mr. Labouchere) might be told that if the Bill was lost in "another place" there would be an appeal to the country. Well, he should be glad if an appeal were made to the country. But such an appeal must take time; and if it were made, a new Land Bill could not, in that case, be submitted to a new Parliament for a considerable time. In this case, would they get remedial measures before next year? Hon. Members who relied on their immediate passage were not only counting their chickens before they were hatched, but they regarded an egg not yet laid as the same thing as a chicken grown up, cooked, and on the table. He had other objections to urge against the Bill. He had given Notice of an Amendment to protect small tenants from eviction; but that Amendment was ruled out of Order. What, then, was the position of these tenants? There were 200,000 tenants in

Ireland with holdings under 10 acres each, and the Bill of last year was intended to prevent the landlords turning them out without compensation. What was the difference in their position now? There had, no doubt, been a good harvest, and many of them might have been enabled in consequence to pay this year's rent. But was it possible, after the hardships and distress they had endured, that they would be able to pay their arrears of rent and their debts to the shopkeepers? The noble Lord who spoke last (Lord George Hamilton) said that the Irish landlords were not better and were not worse than other people in Ireland, and he (Mr. Labouchere) would not say that they were; but the right hon. Gentleman the Chief Secretary to the Lord Lieutenant stated last year that there were exceptions—that there were landlords who were hard by nature, and landlords who were hard by circumstances; and it was unquestionable that if those landlords were left to themselves, they would avail themselves of the power to be given them by the Bill and evict their tenants. He found, from a Return which was issued yesterday that the number of writs issued by the Sheriff's Court during the Michaelmas quarter was 1,273; but, out of these, in only 198 cases had there been evictions. Thus it would be seen that 1,075 notices had been served and not followed up; but it was probable that those who served them were only waiting until this Bill passed to carry them into effect. The House knew what that meant from the words of the Prime Minister himself delivered last year. He considered it to be a very serious blot on the Bill that it did not contain some clause to protect those unfortunate people from unjust eviction; and it should be remembered that the 1,075 represented at least 5,000 individuals. It was all very well to talk about outrages; but, for his part, he knew of no outrage more scandalous than for a landlord to turn out a poor, miserable man, with his wife and family, to starve on the road side. It had been already stated in the newspapers that Lord Annaly had served notices of ejectment upon his tenants, and that a Mr. Barne had done the same, the occupiers of that gentleman's land being some of the poorest in the whole of Ireland. The right hon. Gentleman the Secretary of State for the Home Department, in his speech, took a new departure; instead of regretting that Irish Members had been heard so often, he regretted that the hon. Member for the City of Cork had been heard so seldom. Then he abused the opponents against whom he had nothing to say, and he tried to mix up the Fenians with the Land League, because he knew that he would incite a prejudice against the Land League by citing what the Fenians had done in America. The right hon. Gentleman read a speech from a Mr. Devoy, and another, he thought, from a Mr. Redpath. The speech of Mr. Devoy was to the effect that he contemplated blowing up the entire Government of this country, most of the towns in their country, and the capital; "and is this monster," the right hon. Gentleman said, "to be allowed to say these things without protest?" He then pointed out the terrible consequences of this speech; how a certain Patrick Stewart immediately subscribed the sum of one dollar in order that those intentions might be carried out. It seemed to him (Mr. Labouchere) that the only gentlemen who took the slightest notice of these terrible statements were the right hon. Gentleman himself and this Patrick Stewart, in the County Clare, Ireland, who contributed his one dollar. The right hon. Gentleman gave them a new reason for passing this Suspension of the Habeas Corpus Act. They had had the village ruffian and the difficulty of getting evidence and convictions; but the right hon. Gentleman gave them something fresh. "The men," he told them, "who make these speeches in America, Redpath and Devoy, must come over to Ireland, and the Bill is intended for those gentlemen." Surely the right hon. Gentleman was so eminent an authority on International Law that he must be aware that if these Americans were to come over to Ireland, and if they were to be taken upon mere suspicion and put in prison for 18 months without being told, or without their Minister in England being told, for what they were put in prison, and if they were not tried for 18 months, we should get, and rightly too, into considerable difficulty with the American Government. [Sir WILLIAM HARCOURT: No!] The right hon. Gentleman said "No!" perhaps he meant that he would get us out of the difficulty. But would it not have been better to have brought in an Alien Bill than to suspend the Habeas Corpus Act in Ireland? It was a strange thing to suspend the Habeas Corpus in Ireland because an American had made a speech in America. Had it really come to this—that we were to be asked to suspend our greatest guarantees for liberty because an American had made a speech in America? We should remember the fate of Lord Palmerston when he considered it necessary to propose some changes in the law of England because of the wild vapourings of certain journals in France. The House of Commons voted that Lord Palmerston's Government did not enjoy their confidence in making those changes, and if they passed this Bill because they were irritated by speeches made in America, they must have greatly degenerated. He should be sorry to see the present Government displaced by their opponents, and in pointing out what occurred in similar circumstances he could only say *absit omen.* The alleged advantages of the measure were that it would drive a certain number of crazy Fenians out of Ireland, that it would lead to the imprisonment of a certain number of village ruffians, who, perhaps, thoroughly deserved to be imprisoned, and that it would enable landlords to collect their rents. Against these advantages were to be set off the disadvantages—that the measure would do away with the useful action of the Land League, and there was a great deal in what it did that was most useful; that it would enable landlords, not only to collect their rents from men who could pay them, but it would enable landlords to evict from their small holdings men who could not pay them—the very thing that the landlords had been prevented from doing by the action of the Land League. It would, moreover, alienate all classes in Ireland from the English connection. It would substitute secret societies for an open society called the Land League. By this Bill Parliament was playing into the hands of the Fenians, who would acquire an influence they did not now possess. Irishmen would say—"The agitation of the Land League has failed; let us go back to Fenianism." The disadvantages, then, of passing the Bill outweighed the advantages enormously. Right hon. Gentlemen might get fruit by cutting down the tree, but in cutting it down for its fruit they would do far more harm than if they had let the matter alone. The Bill was so unnecessary and unjust that he was convinced it never would have been passed through that House had it not been owing to the prejudice which was excited at the present moment against hon. Members opposite by what was called Obstruction. But Obstruction was no new thing in the House. They had heard of hon. Gentlemen who had had recourse to it under special circumstances in the case of Private Bills. The right hon. Gentleman the President of the Board of Trade (Mr. Chamberlain) and the Under Secretary of State for Foreign Affairs (Sir Charles W. Dilke) had carried it pretty far. The Opposition last Session persistently obstructed every Bill, because they hoped to prevent the passing of a Bill to deprive them of the exclusive right of shooting rabbits reared upon the crops of their tenants. It was not surprising, therefore, that Irish Members should have obstructed. He (Mr. Labouchere) did not blame them for that; if they had been kept, day after day, last autumn sitting there, owing to the Obstruction to the Hares and Rabbits' Bill, surely it was only reasonable and legitimate that they should be kept weeks discussing the details of a Bill which was to take away the liberties of 5,000,000 of their fellow-countrymen. If he might venture to give hon. Gentlemen opposite a piece of advice, and he meant it in good part, it would be that they should be careful in future to abstain from even the suspicion of Obstruction. Their cause was a good one. Let that cause be stated fairly and honestly to the English public—let it be allowed to stand on its own merits. He was perfectly convinced that there were many persons in England already very much inclined to take the same views as many Irishmen on Irish matters, and that number would be greatly increased were those matters separated from prejudice which was now created owing to Obstruction. He was not speaking of disintegration. He believed the majority of hon. Gentlemen from Ireland were opposed to disintegration. It should be remembered that in England there was a Land Question, and in the counties there was a demand for Home Rule; and, indeed, there were many points upon which the Democracy of England and Ireland ought to unite. He therefore hoped that hon. Gentlemen opposite would not be carried away by the irritation of the moment. He hated the Coercion Bill as much as they did; but he could not shut his eyes to the fact that not only in England, but in Ireland, the men that had made the country better than it was were the Liberals and not the Conservatives. The Conservatives might make gentle speeches and use soft words to catch Irish votes; but the attitude of Conservatism towards Ireland was indicated by the speeches of the right hon. Gentleman (Mr. J. Lowther) in his present candidature, in which he said the atrocities of Montenegro and Greece were exceeded in Mayo and Galway. Irish Members could judge from such speeches what they were likely to get beyond soft words from the Conservatives when acts were wanted to do justice to Ireland. Now, the Liberal record was good. All the reforms which had been introduced in recent years had been proposed by the Liberals and opposed by the Conservatives. [*Cries of* "No, no!"] In Ireland, the names of the Prime Minister and the right hon. Gentleman the Chancellor of the Duchy of Lancaster were, but a little while ago, household words. Those right hon. Gentlemen were respected and venerated by the Irish people, and Irish Members should not forget the services which those two great statesmen had rendered to their country, nor unite themselves with those who were the persistent and everlasting enemies of popular freedom.

MR. R. POWER rose to address the House, when

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. R. POWER resumed, by saying that the Irish Members had much cause to be grateful to the hon. Members for Northampton (Mr. Labouchere), and Newcastle (Mr. J. Cowen), for the noble manner in which they had supported them in resisting that Bill; and he only regretted that there were not more Radicals in the House of so good and sincere a type. The noble Lord the Member for Middlesex (Lord George Hamilton) had attributed the present condition of Ireland to the wild and reckless language employed by the Liberal Ministers when in Opposition; but it was a great mistake to attribute to such a cause the great movement in which the Irish people were now engaged. It would be easy to quote remarkable sentences, quite as wild and reckless as those alluded to by the noble Lord, which had been uttered by leading Members of the Conservative Party when out of power. It was the inconsistency of the language used by both Parties when in Office and in Opposition that had driven the Irish people almost to despair of Constitutional action, because they believed that the language used by right hon. Gentlemen on both sides was not really meant to be acted upon for their interests, but was intended for Party and political purposes. The hon. and learned Member for Stockport (Mr. Hopwood) told them of the great pain which he felt in voting for this Bill; and he (Mr. R. Power) was astonished that hon. Members on the Liberal side should have thought it necessary to say the same thing so often. It put him in mind of a schoolmaster who used to flog him periodically, and who always tried to persuade him that he suffered as much from the punishment himself. All the schoolmaster's eloquence, however, failed to convince him on that point. He objected to the inconsistency of the Liberal Members on the subject. When the Conservatives were in power the hon. and learned Member for Stockport voted on every occasion against the Coercion Bill which they introduced. So did the right hon. Gentleman the Member for Sheffield (Mr. Mundella). That right hon. Gentleman complained that the Conservative Government met the statements of the Irish Members by a conspiracy of silence; and he described the arrest of persons on suspicion and their confinement without trial as a proceeding which was "a disgrace to civilization and a Constitutional system." But the right hon. Gentleman now supported the very thing which he condemned when in Opposition. The speech of the Secretary of State for the Home Department had been sufficiently dealt with by the hon. Member for Northampton (Mr. Labouchere); and therefore he (Mr. R. Power) should only say with reference to it, that the reason he had adduced in support of the Bill was a novel and extraordinary one. The Bill was necessary, he said, because a few wild and irresponsible Yankees talked something about dynamite in America. That was one of the most amusing reasons ever brought before the House of Commons. Surely the right hon. Gentleman must know very well that the Bill could never reach people in America, and that Irishmen had no more sympathy with persons who proposed to commit outrages by means of dynamite than they had at the present moment with Her Majesty's Government. The right hon. Gentleman had talked, too, about a "headless Party" as describing the condition of the Irish Opposition, forgetting the condition of the Liberals when sitting in Opposition, as to which no one could tell which was the head and which was the tail. The right hon. Gentleman had expressed some apprehension that he and his Colleagues might be blown up. He should be very sorry to see the right hon. Gentleman elevated to "another place" by unfair means, and hoped he would only find his way there in consequence of the Constitutional action of the Prime Minister. The Prime Minister stated that the majority of the Irish Members were not opposed to the Bill; but on referring to the Division Lists, it would be found that, whilst 59, 40, and 42 Irish Members had, on various occasions, voted against the measure, the largest number that ever supported it was 17. On the occasion of the second reading 58 Irish Members voted against, and only 13 in favour of the Bill. Was it fair, then, to say that the majority of the Irish Representatives and the majority of the Irish people were not opposed to coercion? There was hardly an Irish Member who had voted for this measure whose conduct had not been denounced in the strongest terms by his constituents. Their constituents had called upon hon. Members who voted for the Bill to resign their seats, and had paid them the compliment of burning them in effigy. In fact, an Irish Member who had voted for coercion had no more chance of being again returned to the House than he himself had of going to the House of Lords. They had now come to the last stage of the Bill, and the Irish Members who opposed it had the satisfaction of knowing that they had discharged a troublesome and painful task; but they could not spare themselves, nor could they in any way curtail their liberty of speech, when they found how severe and fatal was the Bill which aimed at the liberties of their countrymen. They had had to fight against right hon. Gentlemen on both sides of the House. Right hon. Members on that (the Opposition) side had certainly made great sacrifices, for it must have been a sacrifice for them to forget the Mid Lothian speeches of a few months ago, to forgive the Birmingham Caucus, and to shake hands and appear to be on amicable terms with the friends of Russian domination. In these circumstances the Irish Members had endeavoured, to the best of their ability, to discharge the functions of an Opposition. When they saw that the Members of the Conservative Party were prepared to make further sacrifices in order to support the Bill, which would strangle the liberty of Ireland, the Irish Members felt that they, too, should make sacrifices, and face the prejudices of this country in order to secure, if possible, the liberties of the Irish people. The parties on both sides had united to aim a blow at Parliamentary institutions, and had made laws and regulations which could not, and had not, defeated the Irish Party, but which had lowered their Assembly to the level of the greatest autocratic Assembly in the world. He believed that when the country had had time to think of what it had gained and what it had lost, the English electors would see that they had supplanted Imperialism and established a despotism. He was satisfied that the Irish Members had discharged a difficult, but necessary duty. They had shown the untrustworthy nature of the statistics which had been brought forward as a justification of this repressive measure, and the Government and the House were now in this position—that they were passing the severest Coercion Bill which had ever stained the Statute Book, for a country in which there was less crime than in any other country in Europe. In conclusion, he could only say he was glad so little bitterness and so little bad feeling had characterized those debates. He hoped that when these discussions were over, a remedial measure worthy of the name would be presented, and that they would show themselves ready to legislate properly for Ireland by giving to the tenant farmers that fixity of tenure, fair rent, and free sale, without which that country could neither be satisfied, nor prosperous and happy.

MR. O'SHAUGHNESSY said, that Parliament had inflicted a great injustice on Ireland by that Bill. Past legislation had wronged her, and persistent refusals of reform on the vital question of the land had driven her to despair. She had been forced into a method which savoured of a revolution, because it set the Civil Law at defiance for the time being. Though the measure was directed against the Land League and its procedure, and not merely against the outrages which had grown upon the Land League, yet a time would come when the operation of that Bill having passed away men would admit that the Land League had saved landlords from secret societies and the tenants from wholesale evictions, and had, moreover, brought the tenants nearer to Land Reform than any previous legislation had done. No doubt the weapon used by the Land League, insistance on abatement of rent, was liable to abuse. He could not deny that it had been preached without much discrimination, and by some—not, however, by the hon. Gentleman the Member for the City of Cork (Mr. Parnell)—in such a way as to suggest a repudiation of contracts. But before it was used the House was warned that it would be used. He (Mr. O'Shaughnessy) himself had said, in his place in the House last Session, that, as to advising the tenants generally not to pay rent, any such advice deliberately given would be unjust and contrary to good conscience; but that there were cases in which, unless some advice of that kind were given, the landlords could not be brought to reason. Nothing could be more demoralizing than an agitation which might be construed into an advice to men not to meet their lawful obligations; but on those who refused any other remedy for the present state of things the sin must lie. Let those tenants who had been compelled, as many were, by coercion, and not in the fair and open market, to pay rent, offer what according to their conscience was a fair rent, and no more. If there was danger of that advice being abused they could not help it. If there were Roman Catholic clergymen in Ireland who took up that agitation, it would be their duty to tell the tenants not to make an unjust use of it, but to pay their rents honestly, unless they were excessive. He admitted that the weapon was in its nature revolutionary; but the occasion justified some departure from the Civil Law. The House was now about to hand over the tenantry, with all their imperfections on their heads—that is to say, with the arrears of bad seasons-to the landlords, and he knew well that if any effort was made by strong expressions of the opinions of the populace to dissuade the landlords from insisting on their rights, they would find it very easy to make out that they were intimidated by fear of violence, and thus the tenantry would be brought within the Act. He hoped that some light would be found behind the cloud that now hung over them, and he believed that if a good Land Act were passed, no Minister would ever again be called on to come to the House and propose a Coercion Bill for Ireland. If they developed the means of creating a peasant propriety, if they established such relations between landlord and tenant as would prevent rents from being raised, and if they provided security and freedom of disposal to the occupying tenant, they would remove the only cause which set class against class in Ireland, and made the influence of England hated, and agitation would be no more possible. Other reforms would be necessary; but they would be easily conceded to a contented and united people. He was confident that the people of Ireland would show dignity and wisdom in face of the Coercion Act, and that the only result would be that while the abuse inevitable in agitation would be pruned down, they would maintain a just and Constitutional agitation until the problem was solved. They were never further from despair. They had a just cause; they had the sympathy of the civilized world. They needed not to have recourse to the alliance of men who brought ruin on their own country and dishonour on the best cause. He believed, too, that they had allies, not in the landlords and rich men, but in the millions of Englishmen in the classes which had so few Representatives in that House, but whose few Representatives had stood up manfully for Ireland. They also had the encouragement of the Pontiff who ruled over the Roman Catholic Church, to whose voice the great majority of Irishmen listened reverentially. With all these advantages, they would be wise and resolute. They would so act as to set coercion at defiance, and they would at last wring from Parliament a settlement of the Land Question which would make coercion a memory of the past.

Mr. T. C. THOMPSON said, it seemed to him a strange thing that they should be discussing a measure to take away the liberties of the people of Ireland. Ever since the observation that we were within "a measurable distance of civil war" a feeling had been growing up that some strong measure of coercion was necessary. Arguments had been presented for the measure not based upon principles, but upon facts which had been put before the House in a dramatic shape to excite their terror, and to induce them by fear to consent to this measure, which he believed to be unprincipled and unconstitutional. They could remember, at the opening of this long debate, the dramatic manner in which the Returns of agrarian crime were placed before them; and they reached the culminating point on the previous night, when the right hon. Gentleman the Secretary of State for the Home Department put before them a picture which was almost enough to frighten timid people out of their senses. The right hon. Gentleman talked of the wolf-dog of America coming over here to influence their proceedings. Instead of its being the wolf-dog of America that the speech of the right hon. Gentleman he quoted referred to, it was the wolf-dog of Irish vengeance. But those statistics failed to impress anyone who looked nearly into them, and they should discuss this measure as one of principle. The reason why he opposed this measure was simply this—that by all measures of this kind they weakened, enervated, or destroyed the Constitution of the country. Every Coercion Bill brought into a free State was something undoing the great Constitutional edifice which our ancestors had been building up through past centuries. There might be circumstances under which the Constitution of a free country might be suspended. It might be done if a foreign army was in possession of some of the strongholds of the land. It might be done if a foreign navy was sailing up the Thames. It might be done if intestine commotion was eating into the vitals of the country, or if it was impossible to collect the Revenues of the Crown. There was no other occasion on which the Constitution of the country should be suspended. But not one of these things was taking place now. We had no foreign foe in the land to contend with, Her Majesty's Revenues were easily collected, and there was no intestine commotion. In Ireland the power of the Crown had full effect. Was it not true that there was an enormous number of evictions at present in Ireland? And how could those evictions be carried out if the Queen's writs were not running? And yet almost the only reason given for the Bill was that the Queen's writs were not running in Ireland. With respect to the crime which was said to be committed in Ireland, they must remember that Ireland was an agricultural country, and they must expect the offences committed in it to be of an agricultural character. Of the outrages, they would see, the greater part were not by the people against the State, but by the people one against the other. There was no country where the people were so fond of possessing the land. In England land was looked upon as an expensive luxury; but in Ireland the happiness of the people seemed to depend upon its possession. Quarrels arose because one member of a family got possession of the land which another thought should be his. A great deal had been said about the maiming of cattle which they were not justified in saying, and which could be easily explained. It was, no doubt, a horrible thing to cut off the tails of cattle; but he (Mr. Thompson) came from a county in which the people never, by any accident, left the tail of a sheep uncut. The maiming of cattle was done in Ireland, not from wanton cruelty, but from the idea that the landlords, from a feeling of greed, from a desire to get rid of labour, wanted to turn the arable land into pasture, and thus lessen the demand for labour. The cattle were to them the symbol that the land on which and by which they lived was to be taken from them. Mr. Froude, in his eloquent and magnificent history, showed that in the time of Henry VIII. the landlords of England for a long series of years had been endeavouring, in their own interest, to turn arable land into pasture, and the result was the greatest distress throughout the country, and the necessary interference of Parliament to defend the poor, of whom he hoped they would always be the guardians. Then the cases of arson had been relied on, and, no doubt, the word "arson" conveyed horrible ideas. It conveyed the idea of a man going into a stackyard and burning down all the stacks—a very horrible offence. But, if they looked through the list of cases, they would find that in Ireland half the cases turned out to be fires in unoccupied houses. Ten thousand persons were turned out by eviction during the most inclement season. Those poor people went into these unoccupied houses and made fires to keep themselves warm. Early in the morning they left, that they might not fall into the hands of the police, and then these officers came in and reported cases of arson. This all showed that Ireland was not in the dreadful condition alleged. Then, as to firing into dwellings, which constituted a large proportion of the offences, that was scarcely ever done except by bands of men, and an active police could easily prevent it. It scarcely ever happended on these occasions that any personal injury was done—no life was taken, and when a case of injury occurred it was by accident. If harm had been meant, surely hundreds of persons must have been killed. The object was not to shoot people, but to terrify—to induce them to join an agrarian league to protect themselves against injustice and wrong. What was the reason that all the poor people were being turned from their homes? It was simply to get rent. What was rent? Rent could be clearly marked out. It was the surplus which remained after the cultivation of the soil and the maintenance of the cultivator and his family had been paid for. Why had not the rent been paid in Ireland? Were the Irish bad payers of rent? Not at all. The reason was simply that the Great God of Heaven had given no opportunity of late to the cultivator to gather the harvest, but had sent His storms and His winds to blight the produce of the fields. The winds and the storms had blighted the crops, and there was no surplus remaining. There was nothing to pay the cultivator of the soil, much less the idle landlord; and yet they were asked to pass that Bill, which would put the poor people into the hands of the landlords that they might get the miserable rent which the people were unable to pay. It was a cruel thing, and possibly there was growing up a feeling in the country which would make them sorry for what they had done, and, perhaps, under the influence of that sorrow, recall the wrong act which they were perpetrating now. With regard to the provisions of the Bill, the Chief Secretary for Ireland said that the persons arrested would be treated in the same way as unconvicted prisoners. But the Bill did not appear to carry that out, for when they looked carefully into facts, they found that inquiry was to be made every three months by the Irish officials as to the position in which the prisoners stood. But it was obvious that the inquiry would not take place until the end of the three months, so that they might take it for granted that persons would be kept in prison from three months to three months. There was an Assize in Ireland three times a-year, and the average time an unconvicted prisoner spent in gaol was two months; so that, as a fact, the suspected persons would not stand in the same position as unconvicted prisoners. They would be in prison for three months, whilst the unconvicted prisoner remained two months only without trial. Besides that, the unconvicted person had the advantage of his counsel and his trial, while the suspected person had not. Persons would be arrested, no doubt, on the suspicion of very good men; but experience had taught them never to give up their liberties to any one man. It was for the advantage of civilization that they should not sacrifice their great political principles, and therefore he held they must be careful they did not yield up one jot of their liberties; and they should insist that the persons arrested on suspicion should be treated at least as unconvicted prisoners. He contended, also, that they were not dealing fairly with these men, for it was not right to prevent the prisoners speaking to each other. Was not the power of England great enough to prevent them from doing harm within the prison walls without adding to their sufferings that of solitary confinement? They were men against whom no charge was made and no evidence adduced; and were no mistakes likely to be made? Of the persons committed by magistrates in England one-fourth were acquitted as innocent, while of those committed in Ireland from one-third to one-half were acquitted. But persons committed by magistrates were heard in their defence. They were allowed to call witnesses. Under this Act no defence was permitted, and no witnesses could be called. Therefore, *a fortiori*, the percentage of innocent persons committed under this Act must be larger than under the ordinary process of the law. Upon that ground, for one, he contended that those persons should have newspapers, society, and everything necessary, remembering that among them might be many persons quite as innocent of the crimes of which they were supposed to be guilty as any Member of that House. He had thought it right to say what he had, because he was acting apart from his Party, almost alone, and on some occasions quite alone. He felt it was a very sad and serious thing to break political ties, because, in doing so, they very often broke tenderer ties; and it was quite possible—though he hoped not—that the action he had taken on the present occasion would destroy some of those friendships and some of those happinesses in which consisted the great charm of life.

Mr. LEAMY wished to thank the hon. Member who had just sat down (Mr. T. C. Thompson) for his generous and able speech. The assistance given by the hon. Member and a few others could not easily be forgotten by the people of Ireland. He was glad that the hon. Member had not, as the hon. Member for Newcastle (Mr. Ashton Dilke) said that so many of the Radicals in that House had, put aside principle for Party. Radical Members had abandoned the principles which they used to profess when they sat on the opposite side of the House. They had never been told what the precise object of the Government was in bringing in that Bill, or in which way it was intended to operate. It had been said that they did not wish to put down every kind of public meeting; but they did not specify what kinds of meeting would be suppressed. Doubtless the Government would try to put down the Land League. But what would they gain? Irish Members had had great difficulty in persuading the people that there was any hope of good from the English Government. What could they say to the people now? The noble Lord the Member for Middlesex (Lord George Hamilton) had justly said that evening that he was perfectly convinced that the Government had connived at the agitation, for there had been nothing authoritative said against it during the Recess. The Government might succeed in putting down the meetings; but it would not put down the agitation of the Land League. Until lately the supporters of the Land League believed that by the agitation they were strengthening the hands of the Government, enabling them to deal more effectively with the question of Land Reform. After the rejection of the Disturbance Bill, he (Mr. Leamy) had come to the conclusion that there was nothing to be done in this country, and that their only hope was from agitation in Ireland. If it were intended to put down the Land League, why was not an authoritative pronouncement made three months ago? Until a week before the House met, the Land Leaguers were thoroughly convinced that they had in this agitation the sympathy of many Members of the Cabinet. It had been said, however, that the men who took part in the agitation did not denounce crimes and outrages as they ought to have done. He had, however, himself attended 13 or 14 public meetings, at many of which clergymen were present, and he never attended one at which outrages were not deprecated and denounced. But the fact was that those denunciations were so much a matter of course that the newspapers took no notice of them. They could not occupy their space time after time with the same matters. There had been in Ireland, and especially among the clergy, great confidence in the Head of the Government, an almost unlimited trust in the right hon. Gentleman the Chancellor of the Duchy of Lancaster, and there was nothing sadder throughout the agitation, and nothing had more discouraged Irish tenants, than to find the Chancellor of the Duchy of Lancaster, who had stood out against coercion so long, siding with the Chief Secretary for Ireland now. He was very much afraid that the Government had struck a blow at Constitutional agitation in Ireland. He had no fear that the Coercion Act would strike terror into the people of Ireland. That House was not able to gauge or estimate or analyze the real feelings of people in Ireland. There was a great struggle, no doubt, in England for Land Reform. But in Ireland the land was the sole industry, and it was almost crushed under the present system. It had been said that the Irish Party did not represent Ireland, because they were not connected with the land. But the fact was evidence of their fitness for that purpose. It was because Members had been sent to that House for so many years who were interested in the land, that the Land Question was still unsolved. He had risen for the purpose of entering, on behalf of himself and his brother Irish Members, a last protest against an unjust and tyrannic measure which a Liberal Government, proving false to all their protestations, had introduced with the plain and palpable object of retaining their seats on the Treasury Bench. He would remind the House that a great change within the last 14 or 15 years had come over the people of Ireland. Radical Members generally did not seem to understand the present movement. It was a democratic upheaval of a people long oppressed. On former occasions of coercion, the Irish had been prostrate, crouching, and submissive; but, at last, they had gained their feet, and were becoming conscious of their strength, and no Coercion Acts would ever strike them down again.

MR. MACDONALD rose to say a word or two to express his final protest against the Bill in the strongest manner the Forms of the House would allow. He had been closely studying the history of Ireland, and he had come to the conclusion that no country had ever suffered so much from another as Ireland had suffered from England. Three times had we attempted to destroy the people altogether and to drive them into the sea. But those who attempted to do so became united in habits and religion with those whom they had essayed to subdue. Various and singular reasons had been given as an excuse for the introduction of the Bill; but one after another they had been struck down. At last they heard the real reason from the right hon. Gentleman the Secretary of State for the Home Department. It was sprung upon them the previous night. The Bill was all due to a man named Devoy, who lived somewhere in America. The words of Mr. Devoy struck terror into the British Lion, and a Liberal Government, with a majority of 100, was so alarmed that it introduced the Bill in order to legislate for Mr. Devoy and a few others in some unknown slum in New York. This was a discreditable confession to make. The Government were about to do another injustice to Ireland; and he could assure them that it was not from Devoy or from O'Donovan Rossa that danger was to be expected. The Irish danger in America lay much deeper. There was a little hitch just now with America, and there was greater reason for fear in the increasing hostility of the Irish nation in America than from the ravings of the fanatic whose speech had been quoted by the Secretary of State. Let them read the Resolutions of earnest sympathy passed within the last few days by the Legislatures of Illinois, New Jersey, Nevada, and Ohio, and by great public meetings all over America, and learn whence came the cause for fear. Already in the Congress of the States the Fisheries Question had been declared urgent, one Member saying he would try to make it a cause of quarrel with England, that the wrongs of Ireland might be redressed. He was afraid from the attitude adopted by many hon. Gentlemen on the Radical Benches that if there was much legislation for Ireland the word "Radical" would become a misnomer. An hon. Member had called his attention recently to the remarkable unanimity which prevailed among the Liberal lawyers with regard to this Bill. They all supported it, and the hon. Member asked him—"Do you know why?" He replied that he did not, and the hon. Member replied—"The reason is there are two Judgeships vacant." That was base and mean; and although not endorsing the suggestion as true, he thought if there were half-a-dozen vacancies on the Judicial Bench the lawyers would never have ceased denouncing the Irish and supporting the Bill. The hon. and learned Member for Stockport (Mr. Hopwood) professed his great love for Ireland; but he never lost an opportunity of voting for this Bill. It was as if a man professed great affection for a woman and then kicked her with his boot. Such love was very like unkind or false love. He (Mr. Macdonald) felt bound to protest against this Bill. He had voted against it because it suppressed the liberties of a whole people on account of the action of a few; because it left the people of Ireland in the hands of the informer, the spy, and the paid partizan; because it left the women and children of Ireland at the mercy of hirelings, who cared nothing for the morality of the people, so long as they promoted their own objects; and because it came from the hands of the so-called Liberal Party, with which he had been associated all his life. In the last Parliament one Member of the present Government cried out from below the Gangway, "India, India, India!" He clung to the cause of India with desperate grasp. Another sitting in the same part of the House in the last Parliament, and now on the Treasury Bench, raised his voice for the Basutos and the Boers, and he obstructed the House again and again on the question of the Transvaal. Another hon. Member, who used to sit on the Benches below the opposite Gangway, had been wont to plead the cause of Greece. It was "Living Greece no more" with that hon. Member now that he was in Office. Greece would be dead and Ireland, too, until those hon. and right hon. Gentlemen returned to the Benches they occupied when in Opposition. They also found a right hon. Gentleman, who had for 40 years stood up for the liberties of the people, and whose eloquent voice had shaken the hearts of the Protectionist landlords of this country, now calling on the House to pass a Bill for trampling on the liberties of Ireland. That night the Chief Secretary to the Lord Lieutenant would be in the proud position of being able to say that he had slaughtered Ireland's freedom by that Coercion Bill, and he would be supported by hon. Gentlemen who had been loud in their sympathy for Bulgarians, Zulus, Boers, and suffering humanity in general. Those hon. Gentlemen would pass out into the Division Lobby like mutes to assist at the burial of the liberties of Ireland. He had to say, in conclusion, that he, for one, was heartily ashamed of Liberals and Radicals who could thus consent to join hands with oppression, and who could be found voting with a Government to destroy the liberty of a nation.

Mr. BIDDELL said, he desired that Ireland should be treated not merely with justice but with generosity. There could be no doubt that in the past great tyranny and injustice had been inflicted upon Ireland; but that occurred 50 or 100 years ago, and it was now time to forget it. Because their fathers had eaten sour grapes it was not necessary that the children's teeth should be set on edge for ever. He should not have risen in this debate but for the speech of the hon. Member for Durham (Mr. T. C. Thompson). He regretted to hear the hon. Gentleman say that the action of the landlords in turning their lands into pasture had been dictated by a feeling of spite——

Mr. T. C. THOMPSON said, he did not say that the landlords were actuated by spite, but that the tenants thought they were, and that they believed what the landlords were doing was greatly to the injury of their tenants.

Mr. BIDDELL was glad to hear the hon Member's explanation; but he contended that the landlords had acted simply on commercial principles, and that if they had turned their lands into pasture, it was only because they could not make them profitable in any other way. It was a melancholy fact that thousands of acres of arable land in Ireland had been turned into pasturage, causing a diminution of employment; but he was sorry to say that unless the prospects of agriculture greatly improved that operation would not be confined to Ireland, but would extend to England also. They might talk about philanthropy as much as they pleased, especially when it came out of other people's purses; but, after all their preaching, men must revert to commercial principles and use the land in the way which was found the most profitable. The greatest evil Ireland had to contend with was competition. It was a singular thing that, in all this distress, there was scarcely a farm to let in Ireland; while in his own county (Suffolk), there were numerous farms vacant which could not be let at all. With regard to the Bill before the House, he was inclined to support it, both upon its own merits and also from respect to the right hon. Gentleman who had introduced it. The Chief Secretary for Ireland was the best-abused man in England. Nevertheless, there was no man in the country who, in his opinion, better deserved that they should stand by him than did that right hon. Gentleman. No salary, and hardly any honour, could reward that right hon. Gentleman for the anxiety which he had had in this Irish Business. The best thanks of the nation were due to the right hon. Gentleman for what he had done; and he, as a Member of the House, thanked him for his exertions with regard to this measure. He believed that the right hon. Gentleman was actuated in what he had done by the most humane motives.

SIR JOSEPH M'KENNA said, he desired to say a few words before this measure finally went to "another place." The people of Ireland had been made victims of this agitation, when, in reality, they had entered on it with the idea that the Government wanted it, in order that they might the more readily push on their schemes of Land Reform. The origin of the agitation which set in last autumn in Ireland was the rejection of the Compensation for Disturbance Bill, which, although the hon. Member for the City of Cork (Mr. Parnell) thought little of it, would have done a great deal of good to the country. It had been brought in with the most benevolent intentions, and he (Sir Joseph M'Kenna) believed the Chief Secretary for Ireland must have regarded its rejection with philanthropic chagrin. The speeches of the Prime Minister, the Chief Secretary for Ireland, and the Chancellor of the Duchy of Lancaster, after the rejection of that Bill by the House of Lords, had created an impression among the Irish people that they had more Radical friends on the Treasury Bench, as far as the Land Question was concerned, than they had in their own Representatives. Those speeches had produced most exaggerated notions as to the intentions of the Government, and the people believed they were carrying out the wishes of the Government by putting on steam in forwarding the Land agitation. As to this measure, if such were to become the law, as seemed now to be inevitable, he believed that it could not be in better hands than those of the Chief Secretary for Ireland. The right hon. Gentleman, he had no doubt, would administer it with humanity; but if he used it at all, he would have to imprison twice as many innocent as guilty persons. The nature of people in Ireland was to suspect all around them. If they could not discover who had committed a crime, they suspected everyone near them. Having voted against every one of the provisions of the measure at every stage, he must, in order to maintain his consistency, oppose the Motion for its third reading.

MR. J. COWEN said, it was difficult for anyone to give expression to a new idea, or even to lend emphasis to an old one, on the question before the House. But before the obnoxious measure passed its final stage, he wanted to record once more his protest against it. Its passage into law would mark a painful chapter in the history of that House. They had had during its progress a Parliamentary *coup d'état.* They had witnessed a curtailment of some, and the suppression of other, liberties that were the cherished heritage of centuries, and they had experienced the establishment of a Dictatorship. The Government—for the purpose of supplying themselves with sufficient reasons for their policy—had had recourse to the practices of Paul Pry and of Fouché. They had opened private letters, and subjected the freely-chosen Representatives of the people to a surveillance that had been unheard of, certainly unpractised, since the days of the Stuarts. In company with a handful of hon. Friends sitting near him, he had persistently, consistently, and uncompromisingly opposed the Bill. They had fought it upon every inch of ground furnished them by the Forms of the House. They had resisted it as a whole, and they had resisted it in detail. In doing that, they had done nothing more than sustain the honoured traditions of English Radicalism. The course that he and his hon. Friends had pursued would have been pursued by hon. and right hon. Gentlemen sitting on the Treasury Bench—and not by six, but more than 60, sitting behind him there—if the position of Parties had been reversed, and a measure of a like character had been proposed. According to the ethics of latter-day Liberalism, coercion, when submitted by Tories, was a hateful and horrible enactment; but when proposed by a Liberal Administration, it was a beneficent provision for the protection of life and property. No doubt, that inconsistency could be reconciled to the crooked morality of partizanship; but he was sufficiently obtuse neither to see its justice nor its wisdom. A proposition was right, or it was wrong, upon its merits; and it was matterless what man proposed it, or what Party acted as its sponsors. The Bill before the House, in his judgment, was bad in principle, cruel in practice, and disastrous in its consequences. The British Parliament, the incorruptible sentinels of the Constitution, had made the liberties of the Irish people dependent upon the whim and temper of a nervous and inexperienced Lord Lieutenant, and a brusque and—so far as the Irish Members were concerned, he feared he must add—a somewhat supercilious Chief Secretary. He made no appeal to the Government, for he knew that either appeal or remonstrance addressed to them from men who, like himself, had so unceasingly resisted their coercion policy, would be unheeded; but he would like to put before the House some reasons why the despotic provisions of this measure should be mildly and mercifully applied—not in the interests of Ireland, not for the convenience or the comfort of the unfortunate men who were to be imprisoned, but for the benefit and the credit of the nation. He differed *toto cœlo* from the Government as to the necessity for such an Act. Wherever there was political disaffection amongst a people, broadening to the verge of insurrection, the laws under which that people lived, the Government by whom those laws were administered, were by the very existence of the disaffection tried and condemned. It was a fallacy, a pitiful fallacy, which all history proclaimed, that the unruly passions of a people could be stirred into activity by the impetuosity of agitators, however earnest or however able, if there was not just ground of grievance. Whenever the affairs of a country were honestly administered, and the laws equitably applied, you could not convince the people of such a State that they were tyrannized over, trampled on, or insulted. A prosperous and contented population turned a deaf ear to the syren voice of sedition. You might pipe as lustily as you liked, but they would not dance to revolutionary music. If a man's boot pinched him, he did not punish his foot, but he altered his boot. In like manner, if the laws of a country pinched a people, and they gave expression to their pain, it was the duty of Rulers to inquire into their suffering and provide a remedy for it. That was not what the Government had done towards Ireland. For the better part of the third of a Session they had strained all their powers to manufacture whips by which to scourge the Irish people. That was not acting, in his opinion, wisely. Their course should have been to amend the laws complained of, and, if that had been done, there could have been no pretext, much less necessity, for the suspension of the Constitution. He had a cardinal difference, therefore, with the Ministry. He denied the necessity for their coercive measures, and he questioned their efficacy. But dismissing that view of the matter for the nonce, let them, for argument's sake, place themselves in the position of the Government. Let them approach the subject from the standpoint of the Ministers, and, having done that, he maintained that the lawlessness they lamented, and the disorder they deplored, might have been lessened, if not entirely avoided, if there had not been administrative vacillation and apathy. If, during last autumn or the commencement of the winter, the Common Law had been put in force firmly but temperately, the agitation would have been shorn of many of its excrescences. No one denied that there had been excesses, and none regretted them more than the Irish Members themselves. If there had been a vigorous application of the ordinary law of the country to these deviations from order, the Land movement would have been kept within legal channels, while its intensity would not have been reduced, or its success impaired. He did not believe it would have been possible for the Government to stay the agitation. That was beyond their power. The well-head of political and agrarian discord was buried deep in the wrongs of ages, and no Coercion Bill that either this or any other Ministry could introduce could stop its perennial overflow. But the Government really did not wish to allay the agitation. They regarded it, up to a point, with approval; and he did not blame them for it. They conceived that the movement would make to their advantage; and, while they did not absolutely encourage it, they certainly regarded it without disapprobation when kept within given limits. It had gone beyond those limits, and had become troublesome. That, however, did not get over the fact that the Ministers were at first not unfriendly to a circumscribed agitation. To appreciate the point of that remark, they required to carry their minds back for 18 months or two years. It was necessary for them to recall circumstances that took place in the closing days of the last Parliament. They knew in that House that an alliance, offensive and defensive, was entered into between the English Liberals and the popular Irish Representatives. The belief was that the hereditary Parties in this country were nearly balanced, and that, at the General Election, the Irish voters in England and the Representatives of Irish constituencies might be able to cast the scale. It was the interest, then, of the Liberal Party—and he made no complaint of what was done—to open up friendly relations with Irish Members and Irish voters. He knew this treaty was not engrossed on parchment. It was not "sealed, signed, and delivered," like a legal document. Such bargains were never put on paper with such precision. If they were, they might turn out to be troublesome to one or both of the Parties concerned. But that a combination of the character he described did take place was unquestioned and unquestionable. They all remembered how influential Liberals were accustomed to come down to the House, in the last two Sessions of last Parliament, and throw their protecting ægis over the Home Rulers when they were struggling to exact some small concession from the occupants of the Treasury Bench. The right hon. Gentleman the Secretary of State for the Home Department was accustomed to shed the light of his countenance and his counsel upon benighted Irishmen when they were seeking, possibly, for an adjournment or delay. Articles appeared in magazines, under distinguished signatures, contending for the preservation of that most powerful instrument of Parliamentary independence—Obstruction, especially when wielded by a small Party striving after great principles. Hon. Members on the other side contributed to the compact. His hon. and learned Friend the Member for Meath (Mr. A. M. Sullivan) and others went to Sheffield, to Liverpool, to York, and urged their countrymen to cast a solid vote for the Liberal Party. They urged it, too, with effect, as in the common cry against the Conservatives at the Election no notes were stronger or steadier than those raised by the Irish electors. The belief at the time was that the mild and comparatively harmless Coercion Bill which expired last year would be renewed. It was feared that the late Government would ask for its re-enactment. The point was pressed with great earnestness upon Liberal candidates whether they would or would not support the re-imposition of the Act of 1875. Not dozens, but scores, of these said candidates pledged themselves, as solemnly as men could pledge themselves, that they would resist any attempt at further coercion for the Irish people. It was declared by many that a repetition of the Coercion Bill for Ireland would not only be unjustifiable, but would be criminal. And yet the men who made these declarations, and upon the strength of them got Irish votes, had been the most resolute supporters of the Bill before the House, although that measure was beyond all doubt the severest Coercion Bill that had ever passed the British Legislature. He left these hon. Gentlemen to justify to their consciences and their constituents these wholesale breaches of their solemnly recorded pledges. In Ireland a like process had gone forward. Not hundreds, but thousands, of honest, law-abiding Irish farmers had joined the Land agitation with the distinct belief that when doing so they were aiding the Government. They entertained the opinion, and they were justified in entertaining it, that the first measure proposed by the Government would be a Land Bill, and they were anxious to raise a wave of popular opinion sufficiently strong to carry the Bill steadily and safely over the Bar of the House of Lords. Under this belief, these men joined the Land League, and went to their meetings. Many hon. Gentlemen in that House could confirm the correctness of this statement. He had been to some of these Land meetings himself, and he could testify to the fact that the names of the Prime Minister and his Colleagues were received with greater favour, and evoked a larger measure of enthusiasm, than the names of his hon. Friend the Member for the City of Cork (Mr. Parnell) and his associates. The settled belief of the Irish farmers was that from the Government they were to have immediate and drastic agrarian legislation. But what was the fact? The same men, who had been engaged in this agitation under the belief that they were aiding the Government, were now being threatened with arrest. Every town and village in the South and West of Ireland was inundated with police agents and informers. The sympathizers and supporters of the Land League were being closely watched. Everything they said was being chronicled, everything they did was being recorded, and the names of all with whom they came in contact were registered. This information was sent systematically to Dublin Castle; and he was speaking the simple truth—which could be vouched for by many hon. Members present—when he said that the Irish police had already established a reign of terror. These men, for having taken part in what they regarded not only as a legal agitation, but an agitation favourable to the Ministry, were being intimidated, and warned that, on the slightest provocation, they would be thrown into prison—a punishment by which not only their own comfort would be greatly interfered with, but by which their business would be disorganized. The result of this was a complete reversal of feeling. The men he had been describing regarded themselves as having been deceived. They looked upon the Ministry, rightly or wrongly, as having acted towards them treacherously. They had been enticed, as they thought, on to the ice, and left there to slide to destruction. The bitterness of feeling that had thus been engendered was such as he was sure the House did not rightly appreciate. If these men were cast into prison, as they were threatened to be, and if, when in prison, they were treated with the inhumanity, he might almost say brutality, with which the Fenians arrested under the last suspension of the Habeas Corpus Act were treated, there would be an explosion of popular indignation such as the country did not anticipate, and was little prepared to meet. Despair drove men to reprisals. He did not give the slightest countenance to the fear of insurrection that seemed to possess some persons. There was not a remote reason for supposing that any such movement was meditated. It only existed in the "heat-oppressed brain" of the right hon. Gentleman the Chief Secretary for Ireland, or his Colleagues. Even the men who were in favour of the separation of the two countries, and believed that war for that purpose was not only justifiable but necessary, admitted that, at the present time, such a task would be hopeless. It would only end in needless bloodshed, mischief, and misery. To attempt to wrest Ireland from England by force would not only be a mad, but a criminal enterprize. And the Separationists were as satisfied of the correctness of that opinion as anyone in the House. The Government, after opening the letters of some American Irishmen, had built up a terrible bogey, and got frightened at their own creation. But any man who could be so foolish as to suppose that poor old worn-out James Stephens was an agent who could be dangerous to the stability of the Union between the two countries, showed, by merely entertaining such an idea, his imperfect acquaintance with the present drift of Irish and American politics. It was not fear of an insurrection, therefore, that he pointed at. It was something quite as serious—an embittered and almost vindictive feeling between a large section of the Irish people and the English nation. Should that feeling get vent—and there was a fear that it would do so if numbers of Irishmen were arrested on mere suspicion and imprisoned—the consequences to England would be lamentable. The relations between the two countries would be further strained, and that hope of better relationship that they all cherished would be sadly dashed. He urged, then, the desirability—in the interests of the State, apart altogether from Party relations—of using the tyrannical authority that the Irish Executive had now got, mercifully and temperately. They were told to trust the Government, and especially to trust the Chief Secretary for Ireland. That right hon. Gentleman had made that request repeatedly during these discussions. If it was a question of personal confidence, he (Mr. Cowen) would have no hesitation whatever in trusting him—trusting him to any extent. He could say, with all candour and sincerity, that he had the very highest faith in the right hon. Gentleman's good intentions and kindly disposition. He would not, he believed, needlessly set his foot upon a worm. But while he had that regard for him as a man, he must say, with equal frankness, that he had not the same confidence in him as a politician. Men did, in their collective capacity as Members of a Ministry or of a company, what they would shrink with horror from doing in their private capacity as simple citizens. They had had abundant evidence of the fact that many most tyrannical Rulers were, as men, not only unobjectionable, but commendable personages. That petty despot, a former King of Naples—whose name had turned up several times during these discussions—while treating with so much cruelty his political prisoners, was, according to Mr. Dale Owen, constantly engaged in interesting discussions as to the truthfulness of spiritualism or the philosophy of a future state. Maximilian Robespierre—who, during the Reign of Terror, was the practical Ruler of France—was not only an incorruptible, but a generous and gentle man. One of the ablest arguments ever penned in favour of the abolition of capital punishment was written by the intrepid Deputy for Arras, yet, during his short tenure of office, hundreds of Frenchmen were sent to the guillotine. Endless examples of the same kind might be adduced to show how men's character in public offices and places of trust often conflicted with their private character. It was a dangerous doctrine to entrust the public welfare to the exceptional virtues of any man. Highly though he esteemed the right hon. Gentleman as a man, he shrank from committing either to him or anyone the vast powers that were given by that Bill. The right hon. Gentleman could only put it in operation through the instrumentality of others, and those others were police agents and informers. Of all created things, the most loathsome was a political spy. The creatures who could worm themselves into the confidence, could participate in the councils, of generous, ardent, patriotic, but possibly mistaken men, and, when they had got a knowledge of their proceedings, or had tempted them into a course of political guilt, could turn and betray them for the wages of iniquity, were—why there were no words that human language supplied sufficiently strong to anathematize such malefactors. And these were the men whom the right hon. Gentleman must, of necessity, employ and act with. Men like Corydon and Talbot, the spies upon the Fenians—whose cup of life was drugged with treacheries to the brim—"their country's curse and their children's shame." He had no doubt the right hon. Gentleman was solemnly resolving in his own mind that he would have no contact with such scoundrels. But Lord Mayo and Lord Carlingford, equally generous, equally far-seeing and liberal men, doubtless made like resolves. They were not aware, at the time, that such ruffians as Talbot were being employed; yet, nevertheless, they were employed, and the knowledge of their employment was made apparent afterwards. As it had been before, he feared it would be again. They had to forecast the future by the past. What had been done was the best index of what would be done. The right hon. Gentleman had been a Minister of the Crown before, and, in that capacity, had undertaken with jaunty confidence the settlement of another difficulty. He told the House, and he told the country, that he would canter over it. Instead of cantering over it, however, he cantered into it. He dragged his Colleagues and his Party after him, and they wandered for six dreary years in the desert of Parliamentary Opposition. He (Mr. Cowen) did not say that a like result would follow from the right hon. Gentleman's treatment of the Irish difficulty. The latter question did not evoke the same feeling in this country that the former did. The mass of the middle-class Liberals, too, in England, had made a fetish of the present Government. They believed they were politically infallible. They accepted anything, or all things, at their hands without question. The nauseous draught that had lately been administered was being swallowed, with a wry face it was true, but still swallowed without complaint. But the right hon. Gentleman and his Colleagues might be assured of this—that excess of confidence would be succeeded by excessive distrust; that unmeasured laudations would be followed by unmeasured and, in all probability, undeserved censure. As long as human nature existed as it was at present, such consequences would follow from such causes. Extremes on one side begot extremes on the other. It was not a point that he laid great stress on at that moment; but, nevertheless, he felt satisfied that the disintegrating process that commenced in the Liberal Party when the right hon. Gentleman attempted to deal with the former difficulty to which he had referred, had again begun. It was impossible for any Ministry persistently to drive either Party in a course of action that was distasteful to them without disaffection, and that disaffection would deepen into disunion. He said this with sincere regret, and all the more strongly because he believed that the result, which many saw was being foreshadowed, might by an opposite policy have been avoided. He knew the course he and his Colleagues had taken towards this Bill had been a source of annoyance to hon. Members who were sitting behind him. Hateful though the measure was to these hon. Gentlemen, they would have been glad if its objectionable features could have been huddled up and kept from the public view. But he (Mr. Cowen) did not understand his duty as a Representative in that light. With every impulse of his soul he hated the Bill; and now, at the close of the struggle, it was to him a melancholy satisfaction that he had done his best to defeat it, and, when he could not defeat it, to modify its character as well as to lessen its severity. Looking back over the last six weeks, he could only experience a sensation of shame. When they read the comments of foreign critics and the Resolutions passed by foreign Legislatures—such as his hon. Friend the Member for Stafford (Mr. Macdonald) had referred to—he had, as an Englishman, a feeling of humiliaton. The relationship between England and Ireland was not only a discredit, but a disgrace to them. It affected not only their interest and their honour, but their influence and their reputation, amongst the nations of the world. It was impossible for them to expect that their counsel and authority on great International questions could be treated with the deference they deserved, so long as this chronic discontent existed in Ireland. It was a question that ought to be dealt with free from all Party feeling, from all angry passions, or unworthy prejudices. England was the richest nation in the world. Her actual savings amounted to upwards of £240,000,000 sterling. Yet, within a few miles of our own shores, within a few hours' ride of our own capital—the seat of refinement and of wealth—there were thousands and tens of thousands of our fellow-subjects living on the verge of starvation, only a few degrees removed from pauperism. Nearly every 10 years they had a famine followed by an incipient insurrection, or an agitation almost equal in intensity to an insurrection. England, too, was the freest country in the world. There was no nation, either in ancient or modern times, who had the same measure of political and personal freedom that we possessed. Englishmen had been the pioneers of industry and social progress. They had set the world a magnificent example of their attachment to freedom when they liberated the slaves at a cost of many millions. They had lifted their countrymen from the position of subjects to the rank of citizens. Their laws were open to all, and were free to all. Yet, in an integral portion of the United Kingdom, they had, during the last 80 years, suspended the first and most precious principles of the Constitution—over a lesser or larger area, for a shorter or a longer time—on nearly 50 occasions. They had made this country a storehouse into which was carried the produce of every clime. They had covered the surface of the globe with Colonies, and constituted those Colonies, in their turn, the seats and centres of a general and ever-widening civilization. Yet they had been unable to attach to them one of the most generous of races, or do more than extract from them a sullen acquiescence in their national partnership. They might reason as they liked, they might apologize or extenuate it as they pleased, the simple recital of these facts was the most eloquent condemnation that could be uttered of the government of Ireland by England. "By their fruits ye shall know them." And the fruits of English rule in Ireland heretofore had been like Dead Sea apples —fair without, but full of nauseous bitterness within. He sincerely trusted that this Coercion Bill, with all its hateful provisions and its humiliating accompaniments, would be the last measure of that kind that the British Parliament would ever be called upon to enact. He had said hard things, he knew, of the Bill and of the Party who had submitted it; but now that the discussion was closed, he hoped they would see their way at once to introduce other measures of a remedial character, and that these would be urged forward with as much determination as they had applied to the Bill now about to pass its final stage. The gathering gloom of the days to come would, he hoped, be relieved by proposals which might do something towards healing the many and angry wounds that the atrabilious discussions of the last six weeks had made amongst their struggling and suffering countrymen on the other side of the Irish Channel.

MR. R. B. MARTIN said, he wished to correct an impression which might have been derived from the speech of the hon. Member for Stafford (Mr. Macdonald)—namely, that the American people largely sympathized with the very advanced views of a certain class of the Irish people. Having made a visit to America during the last autumn, he felt he could, from the experience he had gained while there, most emphatically deny that such was the case. He had been careful to make inquiries on this point, and he had been constantly informed that, though in certain quarters such expressions were used by politicians to conciliate the Irish vote, the majority of right-thinking American citizens were in accord with Her Majesty's Government as to their views of the proper course of legislation to be taken concerning Ireland. After what had been said by several hon. Members as to the attitude of Americans towards England on the matter, he felt bound to give his testimony on the subject. He was reminded by the speech of the hon. Member for Newcastle (Mr. J. Cowen) of the gentleman who, a few years ago, disputed that the world was round, and having chosen the best umpire he could find, was very angry when the umpire decided against him. For, with regard to this Bill, the hon. Member for Newcastle was not a little angry to find that the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. John Bright), who might be taken as a fair and impartial umpire, was clear in regard to its necessity. When responsible Members of Her Majesty's Government decided that some measure of coercion was necessary, it did seem to him strange, and hardly fair or right, that hon. Members who were not behind the scenes and were not able to form a sound judgment, should assume for themselves better means of forming an opinion than the Members of the Cabinet.

MR. T. D. SULLIVAN said, it seemed that while it was promised by Her Majesty's Government that a further Coercion Bill should follow immediately upon the Bill before the House, a great amount of sympathy with Her Majesty's Government was expressed by the Conservative Party. The moment, however, that the Arms Bill was suspected to be in danger, the unholy alliance between the two Benches was dissolved. A pretty little quarrel now existed between the two sides of the House, and far be it from him to spoil it. They were now debating the Motion for the third reading of the so-called Protection Bill. The measure wore a very different aspect from that which it presented when it was introduced. In fact, it had unfolded itself by degrees as a rose opened itself in the morning. At first it was directed—so they were told—against village ruffians. Now its scope was enlarged so as to take in clergymen, women, and children, and, indeed, everyone who took part in public life in Ireland. The Bill, in truth, was largely aimed at the Land League, which was merely a Land Reform Association. It was perfectly true that at some of its meetings injudicious and indefensible things had been said; but it was to be judged, not by these casual and irresponsible utterances, but by its whole scope and real object. The cry that was now being raised against the Land League was like the cry that was got up against the Catholic Association. Speaking on the point in that House, Mr. Shiel said that the Catholic Association found the means of excitement in the state of society, and that Mr. O'Connell would have been powerless if he had not found an ally in that great conspirator against the public peace, the Law of the land. This was precisely the position occupied by the Land League. Its power rested not upon the agitators, but upon the Land Laws. The Secretary of State for the Home Department had tried to help out his case on the previous evening by referring to what he called the link battalion of the Land League in America. No doubt, that country contained Irishmen of wild and subversive notions; but they were refugees from British rule in Ireland, for the only manufacture that England carried on in Ireland was the manufacture of insurrectionists and informers. The House had heard a good deal about O'Donovan Rossa, about Michael Davitt, and Mr. Devoy. Did that House appreciate the facts that had made agitators of O'Donovan Rossa and Davitt? Rossa was a relieving officer, who had witnessed the horrors of famine, and had passed the coffinless bodies of the starved victims; while Davitt was the son of an evicted tenant farmer. Such were the men whose conduct was said to be striking terror into the hearts of the landlords, and their ranks would be largely recruited after the passing of the measure before the House. They were told that assassinations were being plotted in America; but it should be remembered that there had been a time when something of the kind went on in London. Were not Orsini bombs at one time manufactured in the Metropolis for purposes of assassination in the French capital, and did it not happen that an English Cabinet Minister was regarded as by no means clear from implication in that very objectionable business? They were told that under the Land League movement lay the National movement. Well, his Colleagues in the representation of Ireland made no secret of the fact that they had not abandoned the Home Rule cause, and they would not abandon it for any Land measure that might be passed by Parliament. In the concession of the national rights of the Irish people would be found the settlement of all the existing troubles and difficulties, including those that had been affecting the House during the last few weeks. New Rules had recently been framed by the Speaker for facilitating Business; but there was one Rule that would be worth them all—namely, Home Rule for Ireland.

Mr. BRADLAUGH said, he rose more for the purpose of trying to recall the Government to one or two pledges which they had made to that House than for the purpose of attacking them, as he had no fear that the uncomplimentary epithets showered on the occupants of the Treasury Bench during the last two nights would cause them to change their good intentions. He wanted, however, to remind them that they had promised, so far as he could understand, to exercise the power which would be conferred upon them by this Bill with no harshness except such as might be absolutely necessary for the safe custody of the persons arrested; that they had promised to extend the Prison Regulations of 1877, so that the sad results of 15 years ago would not be repeated; that they had promised to re-consider and re-examine each case; and that they had promised to bring forward as rapidly as possible the remedial measures which were urgently needed. He was not sure that his judgment was a right one—[Mr. Warton: Hear, hear!]—he was quite sure that the judgment of the hon. and learned Member for Bridport was a minus quantity; but he was obliged to protest to the last against the measure, and perhaps was, therefore, hardly entitled to ask the Government to consider what he now submitted. While he voted against the measure as a Radical, he did not do so in any spirit of hostility towards the Government, but because he believed that measures of coercion irritated the evils they were intended to cure, and that the Government had been misled by the panic fear exhibited by hon. Members occupying seats on the Opposition side of the House.

Mr. W. E. FORSTER: I am glad, before I say the few words which I am delighted to know must be the last words I shall have to speak on this Bill —I am glad, before I say those few words, that the hon. Member for Northampton (Mr. Bradlaugh) has made the candid, straightforward, and generous appeal we have just heard from him. He began by saying he hoped that the epithets which have been used towards the Government and myself would not drive us from our good intentions. We should, indeed, be unworthy of the duties which we have to perform if we allowed those epithets, or any of the language which has been used, to have the slightest effect upon us, either with regard to our conduct towards the people of Ireland or in performing our duties in this House. It is quite true, as the hon. Member says, that we have made certain pledges; but they were not forced from us. We felt that we were quite willing to make them. They were pledges that were in our own minds, and we were glad, in the course of these debates, to state them publicly, both as regards the letter of the Bill and the spirit in which it will be carried out. It is perfectly true that we have stated that we will do our best to prevent any suffering or hardship to the men whom we may think it desirable to detain that will not be necessary for their safe-keeping. We have stated that we will try to carry out the prison regulations in such a manner as to prevent the recurrence of what happened 13 or 14 years ago, not, I fully believe, through any fault of either of the Governments which had to carry out the Bill, but because there was not so much knowledge about these matters then, and so much care was not taken in regard to the treatment of prisoners generally as there is now. It is said that we should gain experience from what happened then, and also from what happened in 1871. I can only say that in the treatment of these men under this measure we shall remember, and ought to remember, that though, I believe, it is a mistake to suppose that more innocent men will be arrested than guilty, it is still possible that innocent men may be taken up, although we shall do our best to guard against the arrest of innocent men, and to re-consider their case as soon as possible afterwards. We shall remember that fact; and there is another fact that we shall remember also—namely, that although we shall very likely have to arrest men who have committed outrages, we shall not forget how they have been tempted into outrages by those who have been, and may consider themselves, and may be, quite safe. And now, Sir, I must say a word or two with regard to what fell from the hon. Member for Newcastle (Mr. Cowen). The hon. Member referred to a charge which was made early in the Session, but which has not been very much insisted upon in the course of the debate on this Bill. I think the fact that it has been so little mentioned furnishes its own disproof. The charge is, that we might have prevented the necessity of the extraordinary Law we were asking the House to enact by making better use of the ordinary Law—that we might, to use the hon. Member's own words, have shorn the agitation of its excess. All I can say on that matter is this. From the very first day of this Session I have challenged hon. Members to show how we could make the ordinary law meet the evils with which we had to contend, and to show where we fell short in putting the ordinary law in force. As yet I have heard no detailed accusation made against us. Then the hon. Member for Newcastle is in curious agreement with the noble Lord the Member for Middlesex (Lord George Hamilton), and fully endorses the remarks of the noble Lord. A few months ago I should have thought that such remarks would have been hardly natural from the hon. Member for Newcastle; but they do not surprise me now. The hon. Member seemed to suppose that we have encouraged the agitation in Ireland for our own purposes. He made an allusion to speeches which have been made, and he made an allusion also to magazine articles. I do not know whether he had in his mind any speech of the humble individual who is at present addressing the House. If he had, all I can say is that I defy him to find any speech made by me, either in this House or out of it, to my constituents, or at any Party or popular meeting, that is in the slightest degree inconsistent with the lines which I have taken up here in regard to this Bill. The hon. Member made a remark about magazine articles and the contributions of Cabinet Ministers. We know very well what he was alluding to. But, if the distinguished man who wrote the article to which the hon. Member refers had been here this evening, and if my right hon. Friend had not already spoken in the debate, that passage would have been left out of the hon. Member's speech. I am not going to reply on behalf of my right hon. Friend; the insinuation which the hon. Member seeks to convey is its own answer. We have been told that there was a distinct alliance between us and hon. Members below the Gangway, before the close of the last Parliament. An alliance for what? [Lord RANDOLPH CHURCHILL: To turn out the then Government.] ["Order!"] An alliance for encouraging outrage? An alliance for replacing the law of the land by the unwritten law of the Land League? Does the hon. Member for Newcastle charge us with that? No; if there was an alliance at all, it was an alliance which showed that we were in favour, and that he is in favour, and that we thought at that time hon. Members below the Gangway were in favour, of a searching reform of the Land Laws of Ireland. The hon. Member says that we have sowed the wind and have reaped the whirlwind. That is an expression which was also used by the noble Lord the

Member for Woodstock (Lord Randolph Churchill); but was there anything that was said by any of the occupants of these Benches, or by my right hon. Friend the Prime Minister, that the hon. Member for Newcastle can really think ought not to have been said with regard to Irish grievances, or the relations of Irish tenants, or, indeed, with respect to any other subject? And why? If the hon. Member does not think we did wrong at that time, why does he taunt us with it now? The hon. Member says—"I do not accuse the Government of having made a mean or a selfish alliance." Now, of all the speakers I have ever listened to in this House, the hon. Member is the most fertile in making insinuations and then appearing to disown them. He says that he does not accuse us of unworthy motives; but he made a speech every word of which, if it meant anything, contained an accusation which, with his knowledge of speech and his knowledge of writing, he must have known would be likely to have force in the country. The hon. Member was complimentary to myself personally, for immediately afterwards came a very pleasant comparison. I have been the subject of so many pleasant comparisons lately, that I am quite content that the hon. Member should make me the object of another. He did not hesitate in so many words to compare me to Maximilian Robespierre; and yet the hon. Member says—"I do not wish to accuse anybody. Oh! dear no." He also seemed to think it worth his while to go back for several years to a different measure and to a different policy altogether. He made an illusion to the old Education Act, and he said, referring to myself—"The right hon. Gentleman led his Party wrong at that time, and he will lead them wrong again." I should not take notice of this accusation if it were not that I desired to make this remark—Does the hon. Member at this moment really think that I was wrong in that policy? I believe he does not; and I merely mention the matter because, although I find it necessary to make these remarks in reply to the hon. Member's speech, I still entertain the hope that six years hence, if both of us be living at the time, he may find that he has been as much in error in his exaggerations about this Bill, as I believe he now finds he was exaggerating in his expressions about the Education Act. There are one or two explanations which it is necessary I should make—on this 22nd night of these long debates—before we come to a division upon this last stage of the Bill. It has been a very wearisome task, and I am sure I am glad that it has come to an end. I believe that hon. Members on both sides of the House who have given the Government such a hearty and earnest support in carrying through this measure—[Mr. T. P. O'CONNOR: Yes, a very hearty support.]—I am glad that the hon. Member approves of that expression. Do the Irish Members believe that the support given to the Government has not been hearty and earnest? They must also have felt that it was a very wearisome business. It has been a wearisome business to all of us. It has taken six weeks of the Session—for really we have been doing nothing else—to discuss what, after all, although a necessary measure, is an administrative measure, and a temporary administrative measure—when we had fondly hoped that, long before now, we might have been engaged on a permanent measure for remedying the great grievances of Ireland in connection with the land system, and grafting upon that system a better condition of things. But, after all, although it has been a wearisome task, it has been a necessary task; for when we talk about grievances, and especially about Irish grievances, what is it that we have been doing? We have been delivering Ireland, or trying our best to deliver Ireland, from a great grievance, and we have been saving her, or believing we are saving her, from a still greater peril. Now, what was the grievance? Let us look back for a moment to what was the condition of things when Parliament was called together. At that time, in a great part of Ireland—and it was increasing every day—as regarded the chief occupation of the inhabitants there was no liberty, and there was no security for either person or property. Men were not free to pay their debts, or to earn their living—["Oh!" *from the Home Rule Members.*]—and if they strove to be honest and tried to be industrious, there was no security that either their persons or their property would be safe. Well, there has been no serious and real attempt to disprove that statement. Fault has been found with one or two Returns, and it has been said that the mode in which they were drawn up savoured somewhat of exaggeration. But when they were drawn up as hon. Members thought they ought to have been drawn up, they showed just about the same number of offences. A complaint has been made—I think by the senior Member for Northampton (Mr. Labouchere), but certainly by some hon. Members—that I did not look after the Blue Books sufficiently, and see that they were sensational enough. ["Oh!"] I have had that charge made against me; but I say that there has been no real attempt to disprove the fact that the state of things I have described did exist, and that it was getting worse day by day. So much for the actual grievance. What was the peril and the danger? I need not dwell on the increase of outrages during the last three months of the year — from the end of September until the end of December. [MR. A. M. SULLIVAN: Threatening letters.] ["Order!"] They would have gone on increasing if Parliament had not shown that it would interfere with a firm hand. Since Parliament has been called together those outrages have diminished, and they are diminishing. They are still very great; they are still far beyond the usual number. The month of January was worse than any month since 1844 with the exception of the months of November and December last year. This month, although better, is still bad. And why are things getting better? Because this House has determined to interfere, and has shown that it will make it difficult for these outrages to continue. The noble Lord the Member for Middlesex (Lord George Hamilton) complained very strongly that the Government had not called Parliament together in September or October, and had not asked it for this Bill then. I do not know whether quite as early as that time, but certainly before the end of the year, it is perfectly true that if I had had the power to have passed such a Bill without consulting Parliament, and could have made it law, I should have done so. I should have done so, because I foresaw that an increase in the number of outrages would occur. But we must remember that while we live under the conditions of a free country there must be temporary evils and occasional departures from freedom. I am quite convinced now, whatever I may have felt before, that if we had called Parliament together in October or November, we should not have got its assent to this Bill. And I cannot say that I feel perfectly sure that we ought to have got it then. My position of responsibility for order in Ireland gave me much knowledge of the state of things in that country. Hon. Members seem to suppose that I got my knowledge of the state of things in Ireland in an extraordinary manner.

MR. HEALY: You were never out of Dublin. [*Cries of* "Order!" *and* "Name him!"]

MR. W. E. FORSTER: I can tell the hon. Member that while I was in Dublin I watched his action in the county of Cork. Does he, or do hon. Members, suppose that I got my information from such of the landlords as might happen to drop in upon me day by day, or might come in in a knot. I may say that at that time I was not a particularly popular individual with the Irish landlords. However, I got a great deal of information that enabled me to see there would be a great increase of crime in November and December, and that the month of December would be as bad a month as it was. But if I had persuaded my Colleagues to call Parliament together in November, the House would not have taken my forecast for granted. It required an enormous increase in the number of outrages—I regret to say that the increase did occur—to induce Parliament to pass this Bill; and I say, upon general principles, that it is of advantage that the House should be very chary and very jealous in passing such an Act as this. It, therefore, did require very strong facts to be brought forward before it consented to take this course. Well, if we had not done what we have been doing, no doubt, crimes would have gone on increasing, unless, or until, they had served their purpose, until they were no longer necessary, and until the unwritten law had really replaced the law of the land. They would have gone on until irresponsible committees would have usurped the authority of the Judges and the magistracy of the land. That is the peril from which this House, in its long and wearisome work, has saved Ireland. And not from that danger alone. Hon. Members complain that we do not give them exact proofs of what we really fear in regard to treasonable practices. They must know very well that in the nature of things these proofs could not be given. I do not wish to overrate the difficulty and danger. I do not compare it with the danger to the social system; but I repeat what I said at first, at the time when I brought in the Bill, that fact after fact happened which strengthened the conviction I then felt, that there are men taking advantage of this agitation, taking advantage of what appeared to be at the time—and was for a time, but we are stopping it now—the victory of the unwritten law of irresponsible individuals over the written statute law of the country. Taking advantage of that and of the consequent lawlessness and disorganization of society, there were men of desperate, dark, and atrocious designs, who were inclined to turn matters to their own account. An hon. Member alluded to the speech of my right hon. Friend the Home Secretary. He mentioned two or three names. I will not go over them now, except to say this—I ask the hon. Member who spoke last but one (Mr. T. D. Sullivan), if he is not aware that of the people who have been instrumental in getting these large subscriptions from the United States, which have been the great support and sustenance of the Land League movement, John Devoy was one of the most influential and the most successful? There was another name mentioned by my right hon. Friend the Home Secretary—that of Redpath, from whose atrocious speech my right hon. Friend quoted. Will the hon. Member for Westmeath (Mr. T. D. Sullivan) deny that Redpath went from Land League meeting to Land League meeting in Ireland? Thanks to this House, Ireland is being delivered from this peril, and men are beginning to see that they cannot break the law with impunity, and that they cannot defy it without danger. People are beginning to suspect that crime will no longer be successful on account of its intensity, and that they will not save themselves—putting it in practical language, which they will understand—from imprisonment, by successfully threatening witnesses and juries. Well, Sir, there is another source of comfort to the House, and it is that, after the performance of this wearisome task, the House has done a still more necessary work—it has asserted its own strength, it has proved that it is strong enough to cause the laws which it thinks right to make to be respected. It was quite time that it asserted its strength. Many persons told me, when I said this Protection Bill was a necessity, "You may say so, but you cannot pass it. There are 30 or 40 Members who will support the hon. Member for the City of Cork (Mr. Parnell) and the hon. Member for Tipperary (Mr. Dillon), who will make use of all the Rules of the House, and you will not be able to pass that Bill." I make no apology for alluding to the hon. Member for the City of Cork in his absence, because he is generally absent. I am sorry to speak of the hon. Member for Tipperary in his absence, because I know well enough that he would be ready in this House, and out of it, to maintain anything that he has said. I remember, in a speech which the hon. Member made last Session, to which I had occasion to allude, that he encouraged his Irish audience by telling them that no such Bill as this—[*Cries of* "Question!" *and* "Order!"]—it is very much to the Question—that no such Bill as this could be passed, because he and his Friends would prevent it. Well, they have tried to prevent it, and they have failed. But the impression that they would succeed was, of all the influences against law and order in Ireland, the strongest. The poor cottier tenants in their misery, and with the bad teaching to which they had been exposed, and by which they had been influenced, willingly believed hon. Members when they said—"We are powerful enough in the House to prevent any fresh law being made. Not only have we the means of frightening people from disobeying our unwritten law, but we will take care that the laws of the land shall never be reinforced by a law strong enough to put us down." It was time that, for the good order and government of Ireland, such an impression should cease. All that has now come to an end. Not only those who hear those speeches, but hon. Members who make them, know that it has come to an end. The practical effect of the passing of this Bill will be that shrewd, business-like men, such as the farmers of Ireland—for they are shrewd, business-like men—even the poorest of them will treat such statements and promises as the emptiest of boasts. It was time that the House should show its strength—not only in the interests of good government, but for the position of this Assembly among the nations of the world, and we should have been called to bitter account by our constituencies if we had not done it. The House has now shown its strength. It has shown its strength by using its power to deliver Ireland from this, its greatest grievance, the want of security for liberty, for life, for property, or for industry. It has shown its power to do this; but do not let us forget our strength. Let us remember that we are strong for other purposes; that we are strong to remove all the evils of the land system, which relates more to the life of Ireland than anything else. We are strong enough to remove them, and this is one point on which I agree with the hon. Member for Newcastle (Mr. J. Cowen). I believe with him that we are strong enough to make it impossible—for it shall be unnecessary, and therefore impossible—to have another Coercion Bill. I believe that this Session, before it ends, will be a Session in which we shall all be glad to have had some part and share, and that we shall really settle this great Irish question, so that Irishmen may have a good hope of being a prosperous and a contented people in future.

MR. T. P. O'CONNOR said, the right hon. Gentleman the Chief Secretary did great injustice to his own talents. He never rose to speak in that House that he did not begin by assuring the House that he was utterly devoid of anything like rhetorical power, and before he sat down he always showed that he was possessed of that highest of rhetorical arts—the art of misrepresentation. The right hon. Gentleman, assuming an air of simplicity and philanthropy—and the simplicity was quite as sincere as the philanthropy—always managed to convey the impression that he was only endeavouring to lay before the House the plainest and the simplest facts. But the right hon. Gentleman had not uttered many sentences before they found him with admirable dexterity, taking hold of some chance expression in the speech of some preceding speaker, and representing it as the real gist of that speaker's argument. For instance, the hon. Member for Newcastle (Mr. Cowen), in illustrating the argument that it was unsafe to intrust a people's liberty to a private individual, happened to mention the case of Robespierre, and the right hon. Gentleman, with his sham simplicity—[*Cries of* "Order!" *and* "Withdraw!"]—immediately thought it necessary to say that the hon. Member had compared him to the French Dictator. As a matter of fact, the hon. Member for Newcastle was simply using the case of Robespierre as an illustration in support of his argument. What the hon. Member said was this—that it was unsafe to trust the liberties of Ireland, or the liberties of any people, even to the Chief Secretary to the Lord Lieutenant, however much they might rely upon his individual humanity. Now, he (Mr. O'Connor) was prepared to say in the face of the House that he had no confidence in the right hon. Gentleman, and that he believed this Act would be used and abused exactly as it suited the political purposes of the right hon. Gentleman. The right hon. Gentleman said that he had freed Ireland from a grievance. What was the grievance he had freed Ireland from? Only recently one magistrate had put 100 Irishmen in gaol for bailable offences without bail. Was that the grievance the right hon. Gentleman had saved Ireland from? Several of the landlords were already using their powers of eviction against their tenants. And why? Because the Irish landlords now thought that the Liberal Party had deprived the tenants of the strong protecting arm of the National Land League. Was that the grievance the right hon. Gentleman had saved Ireland from? How many of the Irish Members thought that the right hon. Gentleman had saved them from a grievance? How many of the Irish Members had supported his coercive policy? Had not this policy of coercion been as strongly denounced by the Irish Liberal Members as by the Home Rule Members? Had it not been denounced by his hon. and gallant Friend the Member for the County of Cork (Colonel Colthurst), as by his hon. Friend the Member for the City of Cork (Mr. Parnell)? ["No!"] "No!" The language employed might have been somewhat different; but did anyone in his senses believe that his hon. and gallant Friend the Member for the County of Cork was not as strongly opposed to coercion as anyone upon the Home Rule

Benches? Had not coercion been denounced by those Members from Ireland who signified their constant fidelity to the Treasury Bench by always taking their seats behind it? There was not a single section of the Irish Members that had not joined in this denunciation of coercion, except a few Tory Irish Members who represented the landlord class in Ireland. And so, when the right hon. Gentleman came there, and, with his skilful simplicity, spoke of freeing the Irish people from a grievance, did he not know that his thanks from the Irish people were execrations for saving them from it? The grievance he was saving them from was protection from tyranny. Last Session, when the right hon. Gentleman and his Colleague the First Lord of the Treasury, whose absence they all regretted, were thundering against landlord tyranny, and telling the House that as distress increased in Ireland evictions by the Irish landlords also increased; when the Prime Minister was denouncing eviction as equivalent to a sentence of starvation, in the same speech telling the House that 15,000 persons were going to be evicted, and that 15,000 persons were going to be starved—when the right hon. Gentleman was telling them all this, and yet failed to save them from suffering it; when the Bill of the right hon. Gentleman was stopped, and the right hon. Gentleman and his Colleagues took upon themselves the responsibility of leaving these 15,000 people to starve, the right hon. Gentleman accepted, in all the spirit of Christian humility, this affront from "another place," and left these 15,000 people to starve. And these 15,000 people would have starved, and would have been evicted, if the Irish people had not found a protecting arm in the organization of the Land League. The right hon. Gentleman said in a tone of triumph —[*Cries of* "Oh!"]—he (Mr. O'Connor) called upon his hon. Friends on those Benches to mark the spirit of toleration which animated hon. Members on the Liberal Benches, when an Irish Member stood up to say a word on behalf of the liberties of his country. The right hon. Gentleman the Chief Secretary spoke in a tone of triumph of having carried this Bill through. He (Mr. O'Connor) and the Irish Members were prouder of their defeat than the right hon. Gentleman had a right to be of his triumph. At what an expense and at what a cost had the right hon. Gentleman achieved his triumph! If there was one thing more precious than another, it was freedom of speech and liberty of discussion in that free Parliament. Where were freedom of speech and liberty of discussion now, with their gagging clause and the *clôture* at a certain hour of the evening? The Government had debauched English political opinion. And, with regard to their own position, let any impartial man compare the mind and temper of Parliament that day with its mind and temper eight months ago. Why, this Parliament was decrepit in its youth, and so was the Government. There was not a Minister who did not know that in the last seven weeks they had inflicted an injury on their prestige which they would never be able to remove. Did any of them believe that if there were a General Election to-morrow the Liberal Party would return to power? [*Laughter.*] He saw the Vice President of the Council indulging in hilarious laughter; but he should have a word to say with regard to him presently.

Mr. SPEAKER: I must call upon the hon. Member to address himself to the Chair.

Mr. T. P. O'CONNOR said, he preferred the open and honest enmity of the Conservatives to the false and treacherous friendship of the Whigs. It had been remarked by the hon. Member for Newcastle that during the recent Election there had been an alliance between the Irish Home Rulers and the English Liberals. Did the memory of the right hon. Gentleman the Vice President of the Council carry him back to the scene on a Sheffield platform, when two or three Members of the Irish Party went down, and, in all the ingenuousness of their hopes, invited their poor countrymen to go to the poll and vote for him because his friendship for Ireland was so great? How many hon. Members were there on the opposite Benches who would have been there but for the votes of Irishmen? How many of those now jeering at him whilst speaking under such difficulties would be in their places if it had not been for that fact? And this was the return which the Liberal Party made for Irish sympathy and support! He had been taught the lesson, in the course of these debates, that the greatest danger to the Irish cause was a Liberal majority so strong that they could afford to be independent. When the Liberal Party were in Opposition, no such friends of Ireland as they, for the Members of the Irish Party were then indulging in Obstruction, and Liberal Members came and privately told them how the game was to be played. Their greatest skill lay in disposing of the good manners of the Irish Members, and their higher prestige as Englishmen in Parliament came to the assistance of the beleagured Irish forces, and accordingly they were open to the guilt of Obstruction, which could be turned to Irish Liberal purposes. Some hon. Gentlemen, who afterwards became Right Honourables, came in at the tail of the hunt.

MR. SPEAKER: I must call upon the hon. Member to address himself to the Question before the House.

MR. T. P. O'CONNOR said, the Chief Secretary for Ireland had spoken at length of the relations between the Liberal Party and the Irish Members, and the same subject had been repeatedly referred to by previous speakers in the course of this debate. He therefore humbly submitted that he was only replying to observations of the right hon. Gentleman and several other Members. He said, if anything had been clearly proved in the course of the debates upon the Coercion Bill, it was that the bitterest enemy to the Irish cause was the Liberal Minister who raised himself to power upon Irish hopes. If there were a treacherous enemy to Ireland in the political world, it was the Radical full of promises and professions of friendship for the Irish people as long as they could keep him in the cold shade of Opposition, and who, the moment he got into Office, was ready to kick aside with contumely the ladder by which he ascended. He thought Irish Members could look back with gratification to the contest in which they had been engaged. They had fought the fight against overwhelming odds; they had compelled the House, in order to defeat them, to abrogate its dearest privilege of freedom of debate, and they had effectually cured the superstition still lingering in Ireland that any hope was to be formed from Liberal pledges or Liberal Ministers of the Crown, who had professed to be champions of the Irish cause during 20 or 30 years of public life, and who had not been ashamed to come down to the House to win Tory cheers by Tory arguments in favour of coercion. But there was one right hon. Gentleman on the Treasury Bench who, if he had not the courage of his convictions, had, at any rate, the silence of his shame, thereby setting a good example to his right hon. Colleague in the representation of Birmingham. That right hon. Gentleman sat on the Treasury Bench, a Member of a Coercion Ministry, with the same air of perennial self-complacency which distinguished him, whether he was pleading for the emancipation or assisting in the coercion of the Irish people. Finally, he had discovered in the course of these debates, to use the words employed by a former Conservative Leader of the House, that "organized hypocrisy" was another name for a Liberal Ministry that dealt with Irish affairs and raised itself to Office by Irish votes.

Question put.

The House *divided*:—Ayes 321; Noes 51: Majority 270.—(Div. List, No. 94.)

Main Question put.

The House *divided*:—Ayes 303; Noes 46: Majority 257.—(Div. List, No. 95.)

Motion made, and Question proposed, "That this Bill do pass."

MR. ARTHUR O'CONNOR said, he was aware that in rising to address the House on this question he was departing from the ordinary course; but the House, he thought, would admit that the occasion was not an ordinary one. If there were 20 other questions on which he could arrest, if only for a few moments, the passage of the Bill which was to destroy the liberties of his countrymen, he would speak on every one of them. He was bound, as an Irish Member, to do what he could for the liberties of his countrymen in this arena, which was the only one open to him. The right hon. Gentleman had taunted the Irish Members with having opposed this Bill to the last, and that it had been passed in spite of them. The Chief Secretary was right; they had done their best to prevent the Bill from passing, and they only regretted that it was impossible for them to do more. At this last moment they availed themselves of the opportunity of entering one more protest against a measure which would deprive the people of Ireland of every shred of liberty they possessed. The Bill was called the Protection of Person and Property Bill; but it was nothing of the kind; it was a measure for the suspension of all law, and the substitution for it of the arbitrary will of two men—two men who saw with the eyes and heard with the ears of a class who were, and always had been, hostile to the Irish people. On behalf of the county he represented, he protested against the measure, and was prepared to show that there was no call for it, and that it would unnecessarily increase the power for evil in the hands of the dominant class, which power they had always, to a certain extent, possessed. The right hon. Gentleman had told them that crimes in Ireland called for coercive legislation; but what was the fact? There had been no cases in which protection had been afforded by the constabulary in Queen's County from January 1, 1880, to June 30, 1880, and there had not been one single case of offences against the person. All the offences against property had been three incendiary fires, and one case of injury to animals; and all the other agrarian offences that could be quoted against the county were 13 threatening letters. And what was the character of the magistracy there? There was a great distinction between the magistracy and the people, for, while the latter were Catholic, the late Lieutenant was, and the present Lieutenant also was, a Protestant, the Vice Lieutenant was a Protestant; of the Deputy Lieutenants, 13 in number, every single one was a Protestant; the resident magistrate was a Protestant, and of the other magistrates of this Catholic county, 66 in number, only 6 were Catholics, whilst 60 were Protestants. Moreover, the Crown Prosecutor was a Protestant, resident in Dublin; and of the Petty Sessions clerks, 16 in number, every single one was a Protestant. These were the men in whose hands was to be placed the power—through the Lord Lieutenant—of imprisoning every man they might choose to pretend to suspect. The right hon. Gentleman had said that the Bill was directed against dissolute scoundrels and village tyrants; but the effect of it would be to establish a village tyrant in every district in Queen's County. Every shred of liberty would be taken away from the people. The liberty of the person was gone, for anyone could be taken up on mere suspicion; the liberty of speech was gone, for no person could tell what construction might not be put upon the words he might utter at a meeting; and the liberty of the Press was gone. All this, in the minds of hon. Members, was nothing. Therefore, he availed himself of this last opportunity of offering what opposition he could to the measure, and of recording a final protest against it. He begged to move as an Amendment to the Question Mr. Speaker had put from the Chair——

MR. SPEAKER: The hon. Member has availed himself of his right to speak to the Question before the House, and I understand him now to say that he proposes to move an Amendment. I am bound to tell him that, at this stage of the Bill, it is not open to him to move an Amendment. The Motion is one quite of a formal kind, and he has taken rather an unusual course in speaking to it.

MR. ARTHUR O'CONNOR: The unusual character of the course I am about to take I thought justified by the unusual character of the Bill. Before taking this course, you will allow me, Sir, to say that I carefully consulted the Journals of the House, and the Amendment which I have placed in the hands of the Clerk I copied, textually, from those Journals.

MR. SPEAKER: The practice the hon. Member has referred to has become obsolete, and I have again to tell him that he is not at liberty to move an Amendment to the Motion.

MR. ARTHUR O'CONNOR: Then I will content myself with expressing my determination to oppose the Bill.

MR. O'DONNELL: I wish to say—and I will delay the House only a very few minutes——

MR. SPEAKER: It appears to me to be the general sense of the House that this Question should be now put.

THE MARQUESS OF HARTINGTON: I beg to move, Sir, that the Question be now put.

Motion made, and Question put, "That the Question be now put."—(*The Marquess of Hartington.*)

The House *divided*:—Ayes 282; Noes 32: Majority 250.—(Div. List, No. 96.)

Question put, "That this Bill do pass."

The House *divided*:—Ayes 281; Noes 36: Majority 245.—(Div. List, No. 97.)

SOUTH AFRICA—THE TRANSVAAL (NEGOTIATIONS).—QUESTION.

SIR MICHAEL HICKS-BEACH: I am anxious to ask the Secretary of State for India a Question with respect to a telegram which I am informed has been received from South Africa. I understand that that telegram is to the effect that communications are now passing between Sir George Colley and the Boers at Laing's Neck. The telegram is dated from Dunbar, and I wish to ask the noble Lord, If he can give us any information as to the contents or nature of the communications?

THE MARQUESS OF HARTINGTON: Sir, the telegrams received from South Africa were read, at an early period of the evening, by my right hon. Friend, and I understand from him that no information has been received from the Transvaal to-night.

BLIND AND DEAF-MUTE CHILDREN BILL.—[BILL 85.]

(*Mr. Woodall, Mr. B. T. Willliams, Mr. Montagu Scott.*)

SECOND READING.

Order for Second Reading read.

MR. WOODALL, in moving that the Bill be now read a second time, said, that its object was to provide for the better education of blind and deaf-mute children. Hon. Members who were Members of the last Parliament would be familiar with the provisions of the Bill; and it was therefore unnecessary that he should take up the time of the House by referring to them at length. He believed the Bill had been so drawn as to meet the objections which, at different times, had been urged against previous measures. He was not aware that there was any opposition to the present Bill, except such as might be fairly and readily met in Committee.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Woodall.*)

Motion *agreed to*.

Bill read a second time, and *committed* for *Friday* 25th *March*.

House adjourned at a quarter before Two o'clock till Monday next.

HOUSE OF LORDS,

Monday, 28*th February*, 1881.

MINUTES.]—*Sat First in Parliament*—The Lord Wenlock, after the death of his father.

PUBLIC BILLS—*First Reading*—Protection of Person and Property (Ireland) (40).

Second Reading—Bankruptcy Law Amendment (34); Local Taxation Returns (Scotland) (37).

RIVERS CONSERVANCY AND FLOODS PREVENTION BILL.—QUESTION.

EARL SPENCER, seeing the noble Earl the Chairman of Committees in his place, wished to ask him a Question of which he had given him private Notice. Some little time ago he had the honour of bringing before their Lordships a Bill in reference to the prevention of floods. Several Private Bills had been introduced which contained provisions with reference to drainage and the prevention of floods. It seemed to him that it would be desirable to postpone the Committee on those Bills until after the provisions of the general Bill had been placed before their Lordships. It might be a matter of importance and save a great deal of trouble.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) said, that probably the noble Earl referred to the Severn Navigation Bill, and it might be found that the provisions of the general Act would accomplish all that was desired on the part of the promoters of that Bill. He had not had any applications in respect to other Bills connected with drainage; but he would make some inquiries into the subject, and, in all probability, the proposition of the noble Earl would be adopted.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL.

FIRST READING.

Brought from the Commons; read 1ª. (No. 40.)

The EARL OF REDESDALE (CHAIRMAN OF COMMITTEES) asked when Her Majesty's Government proposed to take the second reading of the Bill?

EARL SPENCER replied that they proposed to take it to-morrow.

EARL GRANVILLE added that if Committee on the Bill were negatived the Government would propose to have the third reading taken on Wednesday.

SOUTH AFRICA — THE TRANSVAAL (MILITARY OPERATIONS) — DEFEAT OF THE BRITISH FORCES.— OBSERVATIONS.

EARL CADOGAN: My Lords, the very serious news from South Africa will so profoundly have affected your Lordships and the country, that the House will, I am sure, be anxious to receive from the Government any further intelligence of which they may be in possession. Perhaps the noble Earl the Secretary of State for the Colonies will give any information that he may have, both as to the events of yesterday, and as to the measures that may be about to be taken by Her Majesty's Government in view of the existing circumstances.

THE EARL OF KIMBERLEY: My Lords, I have no information beyond that which has already appeared in the public newspapers with regard to the lamentable event to which my noble Friend refers. The full particulars, as far as we know, have already been communicated to the public. I cannot allow this opportunity to pass—for I am afraid there is no doubt of the death of the gallant officer, who was Governor of Natal and Commander-in-Chief of these forces—without bearing my testimony to the very efficient and satisfactory way in which that lamented officer discharged his duties under the Colonial Office as Governor of Natal. With respect to the military operations in which he has been engaged, I am not competent, personally, to pronounce an opinion, nor would this be at all a fitting occasion to discuss them. I will only say that no one can doubt that Sir George Colley was an able and most energetic officer, and that if he has met with misfortune I think the country will not forget that he has fallen in its service, in the performance of a most arduous and difficult duty. With regard to the arrangements that are to be made to meet the present emergency, I have been for a long time to-day in conference with the military authorities. The arrangements are in progress. I am not in a position to announce them to-day; but no doubt I shall be able to do so to-morrow. I think, however, I may assure your Lordships that they will be such as are suitable to the emergency.

VISCOUNT CRANBROOK said, that as, of course, there was the deepest anxiety on the part of the relatives of those serving in the Transvaal, perhaps the noble Earl would state whether the accounts in the newspapers, with respect to the deaths and those who had escaped, were such as might be relied on.

THE EARL OF KIMBERLEY: My Lords, I did not mean to say that I vouched for all the information contained in the newspapers, but that the War Office had furnished to the newspapers all the information in their possession.

BANKRUPTCY LAW AMENDMENT BILL.—(No. 34.)

(*The Earl Cairns.*)

SECOND READING.

Order of the Day for the Second Reading, read.

EARL CAIRNS, in moving that the Bill be now read a second time, said, the Bill was similar in its provisions to that which he brought in, and which passed their Lordships' House, when he was on the Woolsack. He would not ask their Lordships to go into Committee on the Bill till he saw what prospect there might be of legislation on the same subject from other quarters. He regretted that the Government had not taken an opportunity to introduce the measure promised by them in the Queen's Speech. Although, in the present state of Business in the House of Commons, it would be vain to expect to make progress, yet any measure dealing with this question must be necessarily one which would remain a considerable time before the public, in order that the various classes interested in such legislation might have an opportunity of considering and examining it. He would therefore suggest that it would be desirable for Her Majesty's Government to introduce their Bankruptcy Bill as soon as possible.

Moved, "That the Bill be now read 2^{a}."—(*The Earl Cairns.*)

THE LORD CHANCELLOR made no objection to the Motion. He thought his noble and learned Friend was entitled to have his Bill read a second time. At the same time, he was bound to say that the Government Bill would, when introduced, be found to contain much matter which was not in the Bill of the noble and learned Earl. The suggestion as to the importance of introducing the Government Bill as soon as practicable would receive the attention which it deserved.

Motion *agreed to;* Bill read 2^{a} accordingly.

MUSEUM OF PRACTICAL GEOLOGY, JERMYN STREET.—QUESTION.

THE DUKE OF SOMERSET asked the Lord President of the Council, What were the intentions of the Government with respect to the Museum of Practical Geology in Jermyn Street? He said that the removal of the lectures given at this Museum from Jermyn Street to South Kensington would do away with their practical utility, and the building in Jermyn Street would no longer, as hitherto, be of service to the working classes.

EARL SPENCER said, he was not aware that the Museum of Practical Geology had been broken up in Jermyn Street. Some change had, no doubt, taken place within the last few years as regarded the lectures in the School of Mines. Some of the scientific lectures formerly delivered there were now given in South Kensington. That had been found necessary in consequence of the bad accommodation in Jermyn Street for those lectures; and it had been carried out in consequence of a strong recommendation by the Royal Commission, known as the Duke of Devonshire's Commission. Indeed, the change recommended by the Commission was much wider than any change which had yet taken place, as they had suggested that all the lectures and the Professors should be removed to South Kensington; and that the Museum building at Jermyn Street should be kept for the Geological Survey and the Museum. With regard to the general question, he was unwilling to enter upon it, because the whole question was being considered by the Department. He had given an undertaking last year to inquire into the matter, and see what could be done, in order to make these lectures as beneficial to the wants and the interests of the country as possible. With the view of fulfilling that promise, the Department had been carefully investigating the subject, and they were now in communication with the Treasury, and he hoped very soon to be able to make public what had been decided. With regard to the lectures to working men, he would take the opportunity of stating that there was no intention whatever on the part of the Government to give up these lectures to the working men at Jermyn Street, which had been continued with great success ever since their establishment in 1851. The lectures which had been held at South Kensington—which were only six courses out of 100 in 30 years—had met with great success, and it was not intended to discontinue them, or those in Jermyn Street. Professor Huxley—who, with the other Professors, deserved the gratitude of the public for the way in which they had conducted these lectures—in the course of a conversation last Saturday, told him that of all the lectures which he had to deliver he liked those best which he delivered to the working classes. Without going further into this subject at present, he might observe that anyone visiting the Museum in Jermyn Street would see that the space was quite inadequate to all the demands upon it; and it was impossible to conduct properly the various experiments illustrative of the subject-matter of the lectures. Indeed, the question would shortly come before the Department as to what should be done with the magnificent collection there, which was said to be unrivalled in the world.

IRELAND — PERIODICAL MIGRATION OF IRISH LABOURERS.—QUESTION.

LORD MONTEAGLE asked the Lord President of the Council, Whether Her Majesty's Government has any information as to the migratory agricultural labourers of Ireland which can be presented to Parliament, and, if so, when the Papers are likely to be laid on the Table of the House?

EARL SPENCER, in reply, said, that a Return giving the information asked for by the noble Lord had already been promised to their Lordships' House, and would very shortly, he hoped, be circulated.

LOCAL TAXATION RETURNS (SCOTLAND) BILL.—(No. 37.)

(*The Earl of Dalhousie.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF DALHOUSIE, in moving that the Bill be now read a second time, said, the Bill was short and simple, and its object was so obviously desirable that it seemed hardly necessary he should trouble their Lordships with any remarks upon it. As their Lordships would see at a glance, it was a purely administrative measure. It merely provided for an annual Return of local rates and taxes in Scotland, similar to the annual Returns now made in England, Ireland, and Wales, by Act of Parliament. Its effect would be to place Scotland on an equal footing, in this respect, with the other parts of the United Kingdom. That was the entire scope of the Bill. At present annual Returns of local taxation and expenditure were regularly made to the Secretary of State, under the Local Taxation Returns Acts of 1860 and 1877, from all parts of the Kingdom with the exception of Scotland, which was not included within the operation of those Acts. The only Returns of local taxation and expenditure in Scotland were those which were made under special Acts of Parliament to various Departments—such, for instance, as the Returns of poor rates and expenditure, to the Board of Supervision; of school rates and expenditure, to the Privy Council; of prison rates and expenditure, to the Secretary of State. In the counties there were no Returns of county assessment, nor of expenditure on police and roads. In the boroughs there were no Returns of assessments nor expenditure on such matters as police, sanitary reform, and city improvements. What was wanted, and what this Bill provided, was that, in addition to these partial Returns, which were furnished at present to different Departments, a general Return of all local taxation and expenditure should be made to the Secretary of State. As their Lordships were aware, the Government were frequently asked to give subsidies to local objects; and for that reason, as well as for the sake of uniformity, it would be desirable that the Government should have in a compact form the information which such a Return as was contemplated by this Bill would supply. The Bill was drawn as nearly as possible on the lines of the Local Taxation Returns Acts of 1860 and 1877, under which the Returns were now made for England, Ireland, and Wales; and he hoped that their Lordships would see no reason for thinking that Scotland should remain, as she was at present, an exception to the general rule for the rest of the United Kingdom.

Moved, "That the Bill be now read 2ª."—(*The Earl of Dalhousie.*)

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

AFGHANISTAN.

ADDRESS FOR A PAPER.

THE EARL OF LYTTON moved for an Address for a Copy of Government of India Despatch, No. 40, of 9th March, 1877.

VISCOUNT ENFIELD said, there was no objection to the production of the despatch to which the noble Lord had referred; but as he had informed his Lordship on behalf of the Secretary of State for India, it might, perhaps, be necessary to attach additional Papers. If, therefore, the noble Earl would add to his Motion the words "and other papers," there would be no objection to the production of the despatch.

Motion, as amended, *agreed to.*

LANDLORD AND TENANT (IRELAND) ACT, 1870—THE ROYAL COMMISSION—THE EVIDENCE.—QUESTION.

LORD ORANMORE AND BROWNE asked the noble Earl the Secretary of State for the Colonies, that facilities might be given for hastening the production of the evidence taken before the

Irish Land Commission. That evidence was promised in a week; but a fortnight had been allowed to elapse.

THE EARL OF KIMBERLEY promised to bring the matter under the notice of the Department charged with the duty of producing the evidence.

House adjourned at half past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 28th February, 1881.

MINUTES.]—SUPPLY—*considered in Committee* —Committee R.P.

PRIVATE BILL (*by Order*) — *Second Reading* — Bridgwater Railway *.

PUBLIC BILL — *Ordered—First Reading*—Marriages Registration * [97].

PARLIAMENT — PUBLIC BUSINESS (URGENCY).

MR. SPEAKER addressed the House as follows :—As the Protection of Person and Property (Ireland) Bill, was passed, on Friday last, I have now to declare, in pursuance of the Resolution of the House of the 3rd February, that the state of Public Business is no longer urgent.

QUESTIONS.

ARMY—SOLDIERS' WIVES AND FAMILIES.

CAPTAIN O'SHEA asked the Secretary of State for War, Whether 98 women and 222 children, the wives and families of the men of the 15th Hussars, 2nd Battalion 60th, 83rd, and 92nd Regiments, now serving in South Africa, arrived from India in the "Jumna" on the 22nd instant, and are in great destitution, the majority having no homes, and at present subsisting on alms chiefly subscribed by officers in the Army, themselves a poorly paid class of public servants; and, whether Her Majesty's Government have any intention of organising a system outside the Poor Law, for the relief of distress in the families of soldiers on active service, in view of the fact that the women are by the circumstances of the case deprived of their only way of earning wages, viz. : as laundresses to the officers and men of their husbands' regiments?

MR. CHILDERS: In reply to my hon. and gallant Friend, I have to state that immediately on the arrival of the *Jumna,* orders were given for sending to their homes the wives and families of the soldiers who have gone to South Africa, but that those who did not wish to go to their homes should be accommodated in their depôt barracks at Shorncliffe, Aberdeen, and Winchester. The families of the 83rd, whose depôt is at Belfast, were allowed to remain in barracks at Portsmouth. They were granted fuel, lights, and the usual separation allowances; but in consideration of the sudden separation from their husbands, who had no time to make arrangements for remittances, and in anticipation of them, I ordered that special advances should be made to all these families, so that every non-commissioned officer's wife will receive 9*d.* a day, every private's, 7*d.*, and 4*d.* for each child, from the date of their landing. In answer to the second Question, I can only now say that I will give my best attention to the question, which is by no means an easy one.

AFGHANISTAN — COUNT SCHOUVALOFF AND LORD BEACONSFIELD.

MR. ARTHUR ARNOLD asked the Under Secretary of State for Foreign Affairs, Whether any further communication has been received from the Russian Ambassador with reference to the statement attributed to Lord Beaconsfield in a Despatch from Count Schouvaloff, with regard to the Afghan war—

> "That the hands of the Home Government had been forced by the inopportune haste of the Indian Government, who had precipitated the matter"?

SIR CHARLES W. DILKE: Sir, I cannot do better than read to the House an extract from a Despatch addressed by my noble Friend Lord Granville to Lord Dufferin, and recording a statement of Prince Lobanoff with regard to my hon. Friend's Question. Lord Granville writes as follows :—

"His Excellency observed that he had no further communication to make to me. He had nothing to defend or retract. He hoped it would be understood that in reading to me one sentence from the draft of a despatch recording at length an interesting and important conversation, in which Lord Beaconsfield had shown a very friendly feeling towards Russia, his object was to strengthen the case of the Russian Government, and to show that Her Majesty's late Government imputed no blame to them. What he should greatly regret would be that he should be thought to have mixed himself up in any party differences in this country. His Excellency added that, with respect to Count Schouvaloff, it was obvious that, apart from other considerations, he could have had no object at the time in inventing or misrepresenting a statement of this kind."

Mr. A. J. BALFOUR asked, Whether the hon. Baronet would lay the Despatch on the Table?

Sir CHARLES W. DILKE: Of course the Despatch will be presented to the House.

INLAND REVENUE—THE ANNUAL LEAVE.

Mr. ARTHUR O'CONNOR asked the Financial Secretary to the Treasury, Whether various Petitions, signed by the majority of Officers of Inland Revenue, have been forwarded to the Commissioners of Inland Revenue, asking for an extension of their present annual private leave of 14 days to 28 days; and, whether the period of leave asked for will be granted?

Lord FREDERICK CAVENDISH: Sir, Petitions have been received from the out-door officers of excise for an extension of annual leave. The Commissioners of Inland Revenue have carefully considered the Question, and are of opinion that the present allowance of leave, which, with official holidays, is as much, if not more, than is allowed in most commercial houses, is sufficient. I may add that, if the request of the memorialists were granted, an addition of 160 officers would be required to the present staff.

MEDICAL ACTS—MEDICAL DISTINCTIONS (SCOTLAND).

Sir TREVOR LAWRENCE asked the Vice President of the Council, If he is aware that the highest qualification of the Royal College of Surgeons, Edinburgh, viz. the Fellowship, is to be had without examination, and even in absentiâ, by persons holding lower qualifications, on payment, and by a process of vote by ballot; if he is aware that the highest qualification of the other two Scottish Medical Corporations, viz. the Royal College of Physicians, Edinburgh, and the Faculty of Physicians and Surgeons, Glasgow, is given on similar terms; and, if he can inform the House whether such a system has ever been the subject of representation or remonstrance by the General Medical Council?

Mr. MUNDELLA: Sir, I have reason to believe that, as regards the Royal College of Surgeons of Edinburgh, the Fellowship can be obtained by persons who are already members of the Colleges of Surgeons of England, Scotland, or Ireland, on the terms stated; but I understand the Fellowship is not a licence or qualification to practice, but is a distinction conferred by a three-fourths vote of the College. As regards the Faculty of Physicians and Surgeons of Glasgow and the College of Physicians of Edinburgh, I have, as yet, been unable to obtain certain information. As regards the Medical Council, I understand that the question of the so-called "higher titles" was discussed by the Council in the year 1859, and it was then decided—

> "That the General Medical Council were of opinion that for the future no licence or degree should be given by any of the bodies in Schedule A of the Medical Act without examination."

And in the year 1870 the subject was again brought forward with reference to Clause XVI of Lord Ripon's Medical Act Amendment Bill; but in consequence of the withdrawal of that Bill, and pending further legislation, the subject has not at present been renewed. The question of these higher titles will form part of the inquiry into the working of the Medical Acts which the Government propose to institute.

THE MAGISTRACY (IRELAND)—CONVICTIONS AT BALTINGLASS.

Mr. M'COAN asked Mr. Attorney General for Ireland, Whether his attention has been called to a case tried on Friday last at the Petty Sessions at Baltinglass, county Wicklow, in which a lad named Wall was, in default of finding bail in forty shillings, sentenced by three magistrates to one month's imprisonment for the offence of calling a process-server named Lucas "mallet head;" and, whether he approves of such a sentence for such an offence?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): I have caused inquiry to be made into this matter, although I must again repeat what has been frequently stated before in reply to Questions similar to this, that the Executive Government cannot review the decisions of magistrates in petty sessions. The facts of the case are these. Thomas Wall, referred to in the Question, was prosecuted by Thomas Lucas, a process-server, for having, on several occasions, made use of language towards him calculated to lead to a breach of the peace, and for making a practice of following him through the streets to insult and annoy him. The defendant was ordered to enter into recognizances to be of good behaviour for six months, himself in 40*s.* and one surety in 40*s.*, and, in default, to be imprisoned for one month without hard labour. The recognizances were perfected, and the defendant consequently did not suffer any imprisonment.

THE LIMERICK ELECTION—EXTRA POLICE FORCE.

MR. GABBETT asked Mr. Attorney General for Ireland, If his attention has been drawn to a claim made on behalf of the Royal Irish Constabulary authorities on the Corporation of Limerick for a sum of £99 12*s.* 2*d.* for extra police force drafted into Limerick before and during the late Parliamentary Election; whether he can state any circumstance which justified the imposition of such expense on the City; and, whether he will state at whose suggestion or on what information it was thought advisable to introduce so large and expensive an addition to the ordinary force into the City?

THE ATTORNEY GENERAL FOR IRELAND (MR. LAW): I have communicated with the Inspector General of Constabulary in reference to this Question, and find that the extra force referred to was drafted into Limerick on the requisition of the High Sheriff, and in accordance with the resolution of the mayor and magistrates at a special meeting called to take steps for increasing the police force during the election.

NAVY—RUMOURED REDUCTION OF SEAMEN.

ADMIRAL EGERTON asked the Secretary to the Admiralty, If he could state what are the facts with regard to a rumoured reduction of seven hundred seamen in the Navy?

MR. TREVELYAN: Sir, no steps have been taken by the present Board of Admiralty to reduce the number of seamen. The number of our seamen was diminished from two causes, the loss of about 220 in the *Atalanta* and the small entry of boys in 1879-80, when between 400 and 500 boys fewer than usual were entered. No means exists of immediately adding blue-jackets to our Navy except by entering non-continuous service seamen. It takes three full years to train a boy into a seaman, and to enter more boys than the average demands of our service require in order to swell our apparent numbers in this year's Estimate would be evidently improper. The fact is that the number of petty officers and seamen proposed to be voted for next year is larger than in any year in the last eight, except only 1880-81. I may state here with reference to remarks that have been made in the service papers that the Admiralty have not and never had the intention of discontinuing the issue of grog to warrant officers.

THE MAGISTRACY (IRELAND)—MR. PARNELL.

MR. R. N. FOWLER asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the name of the junior Member for the City of Cork is still retained by the Lord Chancellor of Ireland on the Roll of Justices of the Peace for the county of Wicklow?

MAJOR NOLAN desired to know whether, at the instance of the hon. Member for the City of London, the Government intended to remove from the Commission of the Peace the names of all or any of the gentlemen favourable to Land Reform who might be disliked by such of the City companies as own large tracts of land in Ireland?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): I believe it is the case that the name of the junior Member for the City of Cork (Mr. Parnell) is still on the Roll of Justices of the Peace for the county of Wicklow. As to the Question of my hon. and gallant

Friend (Major Nolan) I can only say that I have no information on the subject to which it refers.

AGRICULTURAL DEPARTMENT OF THE UNITED STATES—THE REPORTS.

Mr. R. H. PAGET asked the Under Secretary of State for Foreign Affairs, If he will be good enough to obtain from the Agricultural Department of the United States at Washington, the series of annual reports of past years since 1862, or of the years from 1873 to 1878, and also the monthly reports published by that Department, commencing with the present year; if he will endeavour to secure the transmission of these annual and monthly reports in future as soon as possible after publication; and, whether he could arrange for the supply of a limited number of copies to be available for Members making special application for them; or, at any rate, to supply a copy to the Central Chamber of Agriculture for the information of those interested?

Sir CHARLES W. DILKE: Sir, Her Majesty's Minister at Washington has been requested to endeavour to make the necessary arrangements in order to give effect to the suggestions of the hon. Member.

LONDON AND SOUTH WESTERN RAILWAY—THE STATION AT GUILDFORD.

Mr. ONSLOW asked the President of the Board of Trade, Whether he will send an Inspector to view the Guildford Station of the London and South Western Railway, in order that he may report as to the dangerous condition of that station, and whether it is built in conformity with the present regulations regarding the construction of Railway stations generally?

Mr. CHAMBERLAIN, in reply, said, the station was constructed 30 years ago, and consequently it did not come within the scope of recent legislation. He had, however, sent an Inspector to inquire into the subject, and when he received his Report he would communicate it to the hon. Gentleman.

INDIA—THE SECRET DEPARTMENT OF THE INDIA OFFICE.

Lord GEORGE HAMILTON asked the Secretary of State for India, If he has seen certain letters in the "Daily News," signed "Ignotus," and written by a person purporting to have cognizance of the contents of the Secret Department of the India Office, in which he states as "real facts" that the determination of the late Government up to the date of the Berlin Congress of 1878 was that

> "Afghanistan was to be absorbed into the Indian Empire at any cost, by fair means if possible, by foul if necessary;"

that, subsequent to the Berlin Conference,

> "The policy of a limitation of the frontier with Russia revived. He (Lord Lytton) was determined, therefore on a war with Shere Ali, which would ultimately have the effect of 'wiping Afghanistan out of the map,' and giving up the frontier of our Indian Empire to the Hindu Kush;"

and that, in the Secret Department of the India Office, despatches and documents will be found substantiating these charges; whether he would have any objection to state if there are any such documents or despatches in the Secret Department; and, if so, whether they can be laid upon the Table of the House; and, whether he has any reason to believe that the individual writing under the name of "Ignotus" occupies any position of trust and responsibility at the India Office, and thus obtains access to confidential papers?

The Marquess of HARTINGTON: Sir, I must say I am somewhat surprised that my noble Friend should have thought it necessary to put a Question of this nature on the Paper. I confess that I feel some difficulty as to the mode in which it ought to be answered. The noble Lord appears to have entered into a newspaper controversy with an anonymous antagonist, and not being, I presume, entirely satisfied with the results of that controversy, the noble Lord appeals to me to give him assistance. I have no knowledge of the person who signs himself "Ignotus," and I admit I have no particular anxiety to ascertain who wrote under that signature. It appears to me, from internal evidence, that there is no proof that the person so signing himself has had access to, or cognizance of, the contents of any Papers contained in the Secret Department of the India Office; but I should say, judging from the same evidence, that he has had communication with some person in the India Office, who has, perhaps, been less discreet than he ought to have been in reference to what may have come to his knowledge during the last last three or four years. The noble Lord is aware—as well aware as I am—that although cases of a direct breach of confidence, such as that which took place the other day, when a confidential Paper was communicated to the newspapers, are extremely rare, yet it has been a subject of complaint from time to time that there is more communication and more talk with persons outside the office than there ought to be about matters which ought to be considered as strictly confidential. The noble Lord is aware that a considerable amount of Correspondence has passed on this subject during the last three or four years, which the late Government did not think it expedient to produce, and which, as far as I am aware, it is not at present expedient to produce. If it is undesirable to lay that Correspondence on the Table, it will be equally undesirable that I should attempt to describe the contents of that Correspondence; and, therefore, I am not prepared to lay upon the Table or to give any description of the documents to which the noble Lord refers. The noble Lord will see that the Correspondence refers to statements not made in public or official documents, but in confidential communications. So far as I am aware, there are no Papers I have seen that bear out the statements in the Question of the noble Lord; but it is impossible for me to say what impression some of the facts and statements in those documents may have made on the mind of some other person who may have had access to them. I do not think it is possible for me to give any other answer to the Question.

ARMY (THE AUXILIARY FORCES)—THE VOLUNTEER REVIEW AT WINDSOR.

MR. MACLIVER asked the Secretary of State for War, If it be true that the promised review of Volunteers at Windsor by Her Majesty has been postponed; and when the said review is intended to be held?

MR. CHILDERS: Sir, when I move the Army Estimates my hon. Friend will receive an answer to his inquiry, and one, I hope, which will not be unsatisfactory.

TURKEY AND GREECE—THE FRONTIER QUESTION.

MR. BOURKE asked the Under Secretary of State for Foreign Affairs, Whether any reply has been received from Her Majesty's Minister at Athens to the Despatch of Earl Granville, dated January 10th, 1881, authorizing him to take part in a representation to the Greek Government in favour of arbitration, as suggested by France, but cautioning him to take care not to commit himself to any arguments which would lead Greece to suppose that her refusal of the proposal would entail the abandonment of her interests, although it was very desirable that this reservation should not be mentioned to the Greek Government?

SIR CHARLES W. DILKE: Sir, the authority given to Mr. Corbett in the despatch to which my right hon. Friend refers is conditional on—

> "The foreign representatives at Athens making a collective or simultaneous representation to the Greek Government in favour of arbitration on the frontier question, as suggested by your French colleague;"

but, as the French proposal was withdrawn, no such representation was made, and the instruction consequently fell to the ground.

MR. BOURKE: Was there any answer?

SIR CHARLES W. DILKE: Not such an answer as my right hon. Friend means. There was a sort of formal answer.

POST OFFICE—THE MANCHESTER POST OFFICE.

MR. SLAGG asked the Post master General, What steps, if any, are in progress for the completion of the proposed new post office in Manchester?

MR. FAWCETT: Sir, I can assure the hon. Gentleman that the urgent want of a new post office in Manchester is fully recognized. I have done everything in my power to help on the building of that post office. The plans were settled some time ago, and they have been referred to the First Commissioner of Works. I have my right hon. Friend's authority for saying that tenders were advertised last week, and that he will see that there is no unnecessary delay in commencing or in completing the building.

THE MAGISTRACY (IRELAND) — CONVICTIONS AT DRUMLISH PETTY SESSIONS.

Mr. T. P. O'CONNOR asked Mr. Attorney General for Ireland, If his attention has been called to the statement made at a meeting of the Land League in Dublin, by the Member for Tipperary, to the effect that one hundred persons have been, within a recent period, committed to prison by a single magistrate without bail on bailable offences; and, whether he is able to confirm the accuracy of this statement; and, if so, whether he will take any means for procuring the removal of that magistrate from the bench?

The ATTORNEY GENERAL for IRELAND (Mr. Law): I have seen in the newspapers a report of the speech of the hon. Member for Tipperary (Mr. Dillon) referred to in this Question; but I must say I cannot confirm the accuracy of the statement made on the occasion if it be taken to refer, as I presume it does, to what occurred at the Drumlish petty sessions before Mr. Lloyd, the resident magistrate. Over 100 persons had been summoned on a charge of "riot." Of these, some were at once discharged, upwards of 70 were required to give bail for their good behaviour, and have, I believe, done so; 12 were returned for trial at the ensuing Assizes, but not "without bail," as stated. On the contrary, it was announced that bail would be accepted, and seven of them have since been released on giving bail to appear for trial at the Assizes. Three appeared to be sick, and are at home, not, of course, in custody, while two, I believe, remain in custody only because they have been hitherto unable to find bail.

Mr. T. P. O'CONNOR remarked that the right hon. and learned Gentleman had not referred at all to what he meant by the Question.

IRELAND—INFRINGEMENT OF THE LOTTERY ACT—LOTTERY AT DUBLIN.

Mr. ANDERSON asked Mr. Attorney General for Ireland, If his attention has been called to a lottery at Dublin under the patronage of the Lord Mayor, said to be on the plan of the Art Union, but at which considerable sums of money are offered, either directly or as alternatives to the prizes; whether this circumstance puts it out of the category of Art Unions and makes it an illegal lottery; and, whether any steps will be taken to vindicate the Law in Ireland as would be in England or Scotland under like circumstances?

The ATTORNEY GENERAL for IRELAND (Mr. Law): My attention has been called by the Question of my hon. Friend to the bazaar and distribution of prizes to be held in Dublin next month in aid of the fund for erecting a Memorial Convent. The arrangements seem to be of the same character as those which have been adopted from time to time for other charitable bazaars in Ireland, and which, for many years past, have been suffered by successive Governments to pass unchallenged. I see no sufficient reason for departing from this course in the present instance.

STATE OF IRELAND — ILLEGAL SEIZURE BY A SHERIFF, CO. ARMAGH.

Mr. A. M. SULLIVAN asked Mr. Attorney General for Ireland, If his attention has been drawn to the report of the proceedings in the High Court of Justice, Dublin, on Tuesday 21st instant, in reference to an alleged agrarian outrage by tenant farmers on a sheriff in county Armagh, in the course of which Baron Dowse declared the tenants guiltless of blame, and said—

> "It is quite clear to the court that the sheriff has been the law-breaker in this affair. I suppose this is one of the cases put down in the papers as instances of the Queen's writ not running;"

and, whether he will take the conduct of this high sheriff into consideration on the passing of the Protection of Person and Property Bill?

The ATTORNEY GENERAL for IRELAND (Mr. Law): Sir, I have seen in the newspapers the report of the case referred to, and I collect that what occurred was this:—The sub-sheriff of Armagh county went to a farm in the possession of a man named Campbell to execute a writ of *fieri facias* accompanied by the solicitor of the plaintiff named in the writ, and, seeing cattle on the land, seized them. They were rescued, and the sheriff's bailiffs assaulted. It turned out that the *fieri facias* was out of date, and, consequently, no seizure could lawfully be made under it. Campbell brought an action against the sub-sheriff and the solicitor, and an application to remit the action to the County Court was refused by the Exchequer Division. On this state of facts Baron Dowse is reported to have expressed himself, on the hearing of the application, substantially to the effect stated in the Question of the hon. Member. The high-sheriff, however, had nothing personally to say in the matter, and nothing on his part calls for the consideration of the Government. As to the latter part of the Question, I beg to say that it is not one of the cases in which the Queen's writ was represented as not running in Ireland.

CRIMINAL LAW—INCENDIARISM AT CHARD.

MR. A. M. SULLIVAN asked the Secretary of State for the Home Department, If there is any foundation for the following telegram in the London papers of the 22nd instant:—

> "Another case of incendiarism—making the third within the past few months—was reported at Chard this morning. Several corn stacks belonging to a farmer named Chapman, were, last evening, fired and entirely destroyed. Notwithstanding a reward of £25 offered by the police authorities, no clue has been obtained as to the guilty parties. Later in the night a stall containing five cows, the property of a farmer who suffered in a recent incendiary fire, was set on fire, and the ricks near were saturated with oil;"

and, whether any one has been brought to justice or arrested for these crimes of incendiarism on reasonable suspicion or otherwise?

SIR WILLIAM HARCOURT, in reply, said, that more than one case of incendiarism had been reported from Chard; but that it was not the fact that a stall containing several cows had been set on fire, or that the ricks destroyed had been saturated with oil. He had good hopes that the police would be able to arrest the perpetrators.

STATE OF IRELAND—THE REV. MR. KANE.

MR. A. M. SULLIVAN asked Mr. Attorney General for Ireland, Whether, since his letter of October last, promising to deal with the case of the Rev. Mr. Kane, rector of Drumlish, who at a public meeting exhorted the people to break the law, he has taken any and what steps to fulfil that promise?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): The Chief Secretary for Ireland authorizes me to say that he is not aware of having made any such promise as that stated in the Question. On the 30th of October last his Private Secretary, by his directions, wrote to the hon. and learned Member as follows, in reply to a communication from him on the subject:—

> "Sir,—I am desired by Mr. Forster to acknowledge the receipt of your letter to him of the 22nd inst.
>
> "I am, Sir, your obedient servant,
>
> "HENRY JEPHSON."

My right hon. Friend wishes me to repeat the expression of his regret that any gentleman, and more especially a clergyman, should have made such a speech; but the Irish Government does not deem it advisable to take any further action in the matter.

TREATY OF BERLIN—ARTICLE XI.—THE DANUBIAN FORTRESSES.

MR. BOURKE asked the Under Secretary of State for Foreign Affairs, Whether there is any truth in the report that the fortress of Rustchuk has been strengthened or repaired; what steps Her Majesty's Government have taken to secure the fulfilment of the Article of the Treaty of Berlin providing that all the old fortresses in Bulgaria shall be razed at the expense of the principality; and, whether the fortresses and fortifications on the banks of the Danube below the Iron Gates have been razed; if not, what steps Her Majesty's Government have taken to secure the fulfilment of this provision of the Treaty of Berlin?

SIR CHARLES W. DILKE: Sir, it is not true, as far as we know, that the fortress of Rustchuk has been repaired; but some of the casemates in the detached fort of Levan Tabia have been fitted with doors, and are used for the storage of dynamite and gunpowder. The information in our possession shows that the other Danubian fortresses have not been razed. Her Majesty's Government have, on more than one occasion, called the attention of the Bulgarian Government to the non-execution of the Articles of the Treaty of Berlin in regard to these fortresses, and the reply of the latter has been that most of the stonework had been removed, and that the fortresses were in a state of dilapidation, almost equivalent to demolition. They pleaded want of funds as an excuse for not having completed the destruction of the earthworks. Other Powers have also made representations on the subject, and Her Majesty's Government have been in communication with the Austrian Government as to a suggestion which has been made by the Prince of Bulgaria for the appointment of a Commission to investigate.

TREATY OF BERLIN—EXECUTION OF THE ARTICLES.

SIR H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government are taking any steps to obtain the fulfilment of the stipulations of the Treaty of Berlin, viz., of those contained in—Article IX. establishing the payment of a Tribute to the Porte by the Principality of Bulgaria, and the assumption by that Principality of a portion of the Ottoman debt; Article XI., in which it is laid down that within a year, or, if possibly, sooner, the ancient fortresses of Bulgaria are to be razed at the expense of the Principality, the erection of new ones being forbidden; Article XXIII., by which Turkey is bound to introduce reforms sanctioned by a European Commission into its European provinces; Article XXXIII., by which Montenegro is bound to assume a proportion of the Ottoman debt; Article XLII., by which Servia is to assume a proportion of such debt; Article LIX., in which Turkey undertakes to introduce ameliorations and reforms into Armenia; whether Her Majesty's Government still adhere to the paragraph in the draft instructions to the Admiral in command of the Mediterranean station, inclosed in Lord Granville's Circular of August 13, 1881, and ordered to be communicated to Foreign Governments, stating that

> "The real aim of Her Majesty's Government in taking part in this naval demonstration is not merely to place Montenegro in possession of the small district in question, but to impress upon the Porte and the Albanians that the Powers are united and are determined to obtain the full execution of the Treaty of Berlin and the award of the Berlin Conference;"

and, whether, with the view of securing these objects, Her Majesty's Government intend, as before, to take the initiative in proposing to the Powers Signatories of the Treaty of Berlin a further naval demonstration?

SIR CHARLES W. DILKE: Sir, the Powers have been unable to take the steps with which they were charged by Articles IX., XXXIII., and XLII. of the Treaty of Berlin, for determining the amount of tribute to be paid by Bulgaria, and the proportions of the public Debt of Turkey to be assumed by Servia and Montenegro, owing to the Turkish Government not having yet signified their recognition of the formal acts of the Boundary Commissioners. The other Powers have officially sanctioned these acts; but until the new frontiers are accepted by all parties the mean revenues of the ceded territories cannot be formally determined, and the amounts to be paid on account of them cannot be fixed. My hon. Friend's Question with regard to Article XI. and the Bulgarian fortresses has already been met by the reply to my right hon. Friend the Member for Lynn. With regard to Article XXIII., Her Majesty's Government proposed in September last that the Representatives of the Powers at Constantinople should be authorized to discuss the means of prevailing upon the Porte to put the new Statute elaborated under this Article into force, and instructions to that effect were accordingly sent by France, Russia, and Italy to their respective Ambassadors. The other Representatives have not yet been authorized to discuss the point, which we shall not fail to press as soon as a favourable opportunity offers. With regard to Article LXI., I must refer my hon. Friend to the full reply, respecting Armenia, which I made to the right hon. Member for Montrose on the 14th inst. The question of any further naval demonstration is one on which I must decline to express any opinion.

PERU AND CHILI—TERMS OF PEACE—MEDIATOIN.

MR. NORTHCOTE asked the Under Secretary of State for Foreign Affairs, If it is true that the Peruvian Government have solicited the mediation of the Cabinets of London, Paris, and Rome with the view of arranging terms of peace between Peru and Chili.

SIR CHARLES W. DILKE: The Peruvian Government have, through their Representative in Paris, solicited the mediation of England and France with the object referred to. Both Governments have expressed their readiness to instruct their Representatives accordingly, provided Chili consents also, and on the further understanding that the intervention should be limited to good offices, with a view to bring about reasonable terms of peace. Her Majesty's Government have no knowledge of a similar request on the part of Peru to any other Power; but they have joined the French Government in inviting both Italy and Germany to cooperate in such good offices. Italy has assented, but Germany has declined. The French Government have suggested, in a note received on the 26th inst. from Lord Lyons, that the necessary instructions should be sent to Peru and Chili by telegraph, to which Her Majesty's Government are ready to assent as soon as identic instructions are settled.

POST OFFICE — THE POSTAL TELEGRAPH SERVICE—FOLKESTONE AND TUNBRIDGE.

MR. MACLIVER asked the Postmaster General, Whether instructions have been given to Post Office surveyors to compel telegraph clerks at Folkestone and Tunbridge to sign themselves over to Postal duties under the title of "Postal Clerks," and to undergo a second Civil Service Examination; if so, if he could state for what purpose; and, whether Post Office officials have been directed to ascertain, from various Public Departments, from Railway Companies, and from Foreign Telegraph Companies, the number of clerks that might be available to undertake Postal telegraph duties?

MR. FAWCETT: Sir, with the object of securing greater administrative efficiency, a proposal was sanctioned in July last for amalgamating at Folkestone the postal and telegraph force. Some of these Folkestone telegraphists who were admitted to the service subsequently to the transfer of the telegraphs to the State, and who have never passed a Civil Service examination, will have to pass an examination; but one of a most simple kind, consisting only of dictation and the first four rules of arithmetic. I believe the result of the change will be not only advantageous to the public, but also to those who are employed in the Post Office there. No such change has been carried out at Tunbridge, and I shall not sanction any similar changes until I have come to a decision in reference to the inquiry I am now making with regard to the position, as to pay and promotion, of the telegraphists. With regard to the latter part of my hon. Friend's Question, no steps have been taken to ascertain from Railway and Telegraph Companies what number of telegraphists might be available for employment by the Post Office. I think what is probably referred to are certain inquiries which I have made with the view of ascertaining what is the remuneration given by private persons or public companies for work of a somewhat similar description to that which is done by the telegraphists employed by the Post Office.

EDUCATION DEPARTMENT—READING-BOOKS IN BOARD SCHOOLS.

MR. RATHBONE asked the Vice President of the Council, Whether, in order to give more time to prepare reading books for the instruction in certain class subjects, which Article 19, C. 1, of the Code of 1880 requires shall be taught in schools examined after the 30th of September 1881, by means of reading lessons, the Education Department will permit these subjects, when managers prefer the plan, to be taught in harmony with the provisions of the Code of 1879, until after the Government inspection of the school in the year 1882?

MR. MUNDELLA: Sir, we are aware that for some of the class subjects good and suitable reading-books are still wanting; but a considerable number of such books were in existence when the Code of 1880 was issued, and others have been published since that date, and some are in course of publication. Managers who wish special class subjects to be taught in their schools may use these books, or they may continue for the present year to employ as reading-books the manuals, without which class subjects could not be properly taught; and the Inspectors, if satisfied with the result of the instruction, will not refuse to recognize these manuals for the present as satisfying the requirements of the Code.

IRELAND—CORK BUTTER MARKET.

MR. HEALY asked Mr. Attorney General for Ireland, Whether he is aware that the managing body of the Cork

Butter Market assume to themselves the power of summoning people before them to answer charges; whether they summon and examine witnesses in support of those charges; whether they impose and levy heavy fines on members of the public dealing in the market, under threat of preventing them from further dealing therein if such fines be not paid; whether no one can deal in the market unless he signs certain penal conditions; whether their meetings are held with closed doors, with both the public and the press excluded; whether such acts constitute the holding of an illegal court for the purpose of intimidating Her Majesty's subjects; whether the Solicitor General for Ireland was for many years Law adviser to this body; whether several members of that body are magistrates; and, whether the Government will take means to put a stop to such practices?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): I have made inquiries into this matter, and I am able to answer the hon. Member that the managing body of the Cork Butter Market do not assume to themselves the power of summoning people before them to answer charges. Members of the butter trade who have voluntarily joined the association called the Committee of Merchants, and subscribed to certain rules framed for the purpose of protecting the integrity of the butter brands, and preventing frauds with regard to them, and who have bound themselves to submit to penalties for the infringement of those rules, are required to attend before the Committee in case any charges of infringement are preferred against them. They do not summon witnesses; but any persons voluntarily attending to support or refute such charges are heard. They do not impose fines on members of the public dealing in the market. The market is open to the public; but only persons who subscribe to the rules of the Committee of Merchants have the benefit of their brands. I believe that the meetings of the Committee are private. The acts of the Committee do not constitute the holding of an illegal court. I understand that my hon. and learned Friend the Solicitor General for Ireland has been for some years counsel for the Committee. I am informed that several members of the Committee are magistrates. The Members for the City of Cork are as such members of the Committee. I see no reason for any interference on the part of the Government.

THE IRISH LAND BILL.

MR. HEALY asked Mr. Attorney General for Ireland, Whether, as the Government have made the Coercion Bill retrospective in its operation, they will also consider the desirability of making the Land Bill retrospective?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): I am afraid I can only say that the hon. Member will, no doubt, receive information on this subject when the Prime Minister makes his statement on the introduction of the promised Land Bill.

CENTRAL ASIA — RUSSIA AND THE AMEERS OF CABUL—THE SECRET CORRESPONDENCE.

BARON HENRY DE WORMS asked the Secretary of State for India, Whether he will lay upon the Table of the House the original, either in Russian, Persian, or Pushtoo, of the Despatch published among the papers found at Cabul, in which occurs the word which Prince Lobanoff stated to Lord Granville should have been translated as "friendship" instead of "alliance;" and, whether any information has been received from the Government of India as to the advance of Russia upon Merv or Herat; and, if so, whether he will lay such information upon the Table of the House?

THE MARQUESS OF HARTINGTON: I am not quite certain that it would add very much to the information of the House if I were in a position to lay these documents on the Table either in Russian, Persian, or Pushtoo. As I have already stated, in reply to a Question, the original documents are in India, and were translated by competent persons. I will make inquiries as to that translation, though the point mentioned by the hon. Member does not appear to me to be one of very great importance. With regard to the second part of the hon. Member's Question, I can only say that I have no information to give but that which I have already communicated to the House.

CENTRAL ASIA—MERV.

BARON HENRY DE WORMS asked the Under Secretary of State for Foreign Affairs, Whether the information upon which the opinion of Her Majesty's Government is founded, that it is not the intention of Russia to advance to Merv, can be laid upon the Table of the House; and, whether any information has been received from St. Petersburgh or Teheran as to the intention of Russia to advance upon Herat?

SIR CHARLES W. DILKE: Sir. Papers on the subject are about to be laid before Parliament. No information has been received as to the intention of Russia to advance upon Herat.

STATE OF IRELAND—PRISONERS IN NENAGH GAOL.

MR. T. P. O'CONNOR asked Mr. Attorney General for Ireland, Whether the prisoners at present confined in Nenagh Gaol on a charge of illegal and riotous assembly, are persons entitled to be treated as "persons accused of crime and not as convicted prisoners," are not prevented from intercourse with each other, and whether in fact they are not confined in their cells in solitary confinement for twenty-two hours out of the twenty-four?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): These prisoners are not allowed to communicate with each other. They are allowed two hours a-day for exercise. Under the prison rules it is the duty of the surgeon to direct that every prisoner shall daily have as much exercise in the open air as may be necessary for his health.

MR. T. P. O'CONNOR asked whether they were not kept in solitary confinement for 22 hours out of the 24?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): They have two hours a-day for exercise. I presume they are not allowed to communicate; but they can see their friends.

MR. T. P. O'CONNOR asked whether they were not prevented from communicating on the ground that they might contaminate each other, though they were respectable young men of the town? ["Order!"]

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): I would refer the hon. Member to the prison rules.

STATE OF IRELAND—EVICTION IN CONNEMARA.

MR. A. M. SULLIVAN (for Mr. METGE) asked Mr. Attorney General for Ireland, If his attention has been directed to the case of an eviction at Carna Connemara on the 14th February, when a dying man and his dying wife were turned out, with their children, on the side of the road, and that it was only when the doctor interposed, stating the police would be responsible for their lives, that they were re-admitted into their house for another day; and, whether he will insert an amendment in the Protection of Person and Property (Ireland) Bill to protect tenant farmers similarly circumstanced?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): Sir, this was a case in which a warrant was issued at Carna Petty Sessions against a caretaker named Patrick Feeney for overholding possession. When the constable proceeded to Feeney's house to execute the warrant, the agent for the property and the medical officer of the district were present, and, the latter having certified that Feeney was in a dying state, the agent requested that he should not be removed. The constable accordingly did not remove him, and did not execute the warrant. The doctor has given a certificate that the old man is unfit to be removed to the workhouse, and the warrant against him has since been cancelled.

PARLIAMENT—PUBLIC BUSINESS—THE STATE OF IRELAND.

SIR JOHN HAY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is able to assure the House that the condition of Ireland, as described by him in January, has so much improved as to make it unnecessary to bring the Peace Preservation Bill under the consideration of the House; and, whether he has found that the possession of arms by large numbers of untrained persons, mentioned by Mr. Justice Fitzgerald in his charge, is no longer a subject of anxiety or alarm for the disturbance of the public peace?

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAW): Sir, if the right hon. Baronet will kindly look at the Order Book, he will see that the Motion for leave to introduce the Peace Preservation (Ireland) Bill stands first for to-morrow. For any further information I must refer him to the statement which will presently be made by my noble

Friend the Secretary of State for India as to the proposed course of Public Business.

THE HERRING TRADE (SCOTLAND).

Mr. A. GRANT asked the Secretary to the Treasury, Whether, in view of the difference of opinion existing in the herring trade and throughout Scotland on the subject, Her Majesty's Government will consent to the appointment of a Select Committee to inquire into the expediency of the further continuance of the present system of Government Inspection and certificate, by means of a brand, in the herring curing trade on the East Coast of Scotland?

Lord FREDERICK CAVENDISH: Sir, as far as I can ascertain, there is a very general wish among the representatives of districts interested in the herring fisheries that there should be a new inquiry into the expediency of continuing the herring brand. If, therefore, a Motion is made for the appointment of such a Committee, the Government will consent to it.

Mr. R. W. DUFF said, in consequence of the answer of his noble Friend, he had no objection to refer the whole question to a Committee, Notice for the appointment of which already stood in his name.

Lord FREDERICK CAVENDISH said, the Motion of the hon. Member was restricted to one narrow point of this subject; but if he amended his Motion he (Lord Frederick Cavendish) would consent to it.

SOUTH AFRICA—THE TRANSVAAL (MILITARY OPERATIONS)—DEFEAT OF THE BRITISH FORCES.

Colonel STANLEY asked the Secretary of State for War, Whether there was any further information which he could give the House in connection with the melancholy intelligence received that morning from the Transvaal; and whether, owing to the lamented death of Sir George Colley, the command will devolve upon Sir Evelyn Wood?

Mr. CHILDERS: We received at a very early hour this morning the melancholy intelligence of Sir George Colley's death, and it is in shape almost an exact repetition of the statement contained in the telegrams already sent to the newspapers, and which all hon. Members saw this morning No further intelligence has been received from Sir Evelyn Wood, or any officer in Natal. On the subject of the second Question of the right hon. and gallant Gentleman, I have to say that Sir Evelyn Wood has succeeded, by virtue of his rank, to the command in Natal held by the late Sir George Colley. But I think the right hon. and gallant Gentleman wishes me to give, if I can do so, any further information as to the intentions of the Government with respect to the present state of affairs in that country; but, with his leave and with the leave of the House, I would ask him to repeat this Question to-morrow, as at this moment, although I have been engaged throughout the whole of the day in taking the initiatory steps as to certain other arrangements, I am not quite in a position to state them definitely to the House.

Sir MICHAEL HICKS-BEACH asked, Whether Sir Evelyn Wood had succeeded Sir George Colley as High Commissioner for the Eastern part of South Africa?

Mr. CHILDERS: Sir George Colley is succeeded by Sir Evelyn Wood as Governor of Natal, and also, I think, as High Commissioner for the Eastern part of South Africa. But Sir Evelyn Wood has certainly succeeded as Governor.

NAVY—THE DETACHED SQUADRON.

Mr. W. H. SMITH: I wish to ask the Secretary to the Admiralty, Whether any orders have been given for the Squadron at the Cape of Good Hope to sail to Natal?

Mr. TREVELYAN: Sir, the Squadron has been refitting for the best part of a fortnight, and will be ready for sea in two, or, at most, three days. No orders have been given to the Squadron to go to Durban, which is an open roadstead with bad anchorage, and is within four and a-half day's sail from Simon's Bay, which is an excellent harbour.

ARMY—THE QUEEN'S REGULATIONS—PUBLICATIONS BY OFFICERS.

Mr. TOTTENHAM gave Notice that to-morrow he would ask the Secretary of State for War, Whether the following paragraph of the Queen's Regulations had been cancelled:—

> "Furthermore, officers and soldiers are forbidden to give publicity to their individual opinions in any manner tending to prejudge questions that may at the time be undergoing official investigation by the military authorities."

If not, whether an article in "The Nineteenth Century," advertised as being written by Sir Garnet Wolseley, is the production of the Quartermaster General of the Forces; and further, whether an officer holding this high administrative appointment is justified in committing such a grave breach of the Queen's Regulations for the Army?

Mr. CHILDERS: I will answer that Question at once. Of late years, and some time before I became Secretary of State for War, it has been the habit of the officers who are on full pay and may be holding high positions to express, either by word of mouth or in writing, opinions on important military questions. I am not prepared at present to take any especial notice of this practice, and certainly not of the article to which the hon. Gentleman has referred. But I think it might be well if on both sides of questions of importance, whether in connection with the Army or other public service, some more reticence were the rule. And, after some conversation which I have had with those whom I consult on subjects of this kind, I think that we may some day return to the old practice. But, meanwhile, I do not wish to take any notice either of speeches or articles, which for many years have been so frequent.

SOUTH AFRICA—THE TRANSVAAL (NEGOTIATIONS).

Sir WILFRID LAWSON asked the Secretary of State for War, Whether any orders had been given from home to restrain the Army in the Transvaal from advancing until the result of the negotiations now being carried on with the Boers was known.

[No answer was given.]

PARLIAMENT — BUSINESS OF THE HOUSE.—MINISTERIAL STATEMENT.

The Marquess of HARTINGTON: Sir, I am sorry to say that it has not been possible for my right hon. Friend the First Lord of the Treasury to be in his place to-day to make the Statement which he promised on the Business of the House. I will therefore endeavour, as shortly as I can—but I am afraid somewhat imperfectly—to state what the intentions of the Government are. It is unnecessary for me to remind the House that, although we met about a month earlier than the usual time, we have now reached a period when, in ordinary circumstances, we should have been sitting about three weeks, and should have made very considerable progress with our ordinary Business. But the present state of the case is that not only the whole of the time usually allotted to independent Members has been absorbed, but practically no progress whatever has been made with the ordinary Business of Parliament. In these circumstances it is necessary, on the passing of the Bill for the Protection of Person and Property in Ireland, for the Government to review its position, and take into consideration its future course. I will very briefly state the considerations to which it seems to us to be necessary to call the attention of the House. The first of these is that the Peace Preservation Bill, which was one of the measures announced at the opening of the Session by the Government, is, in their opinion, necessary for the preservation of peace and order in Ireland, and which I might properly describe as supplementary to the Protection of Person and Property Bill, has not yet been introduced. The second point to which I wish to call the attention of the House is that, under the operation of the Resolution of the 26th of January, all other Business is to be suspended until that measure is passed. The third question is that of Supply. The fourth is the extreme desirableness, not to say necessity, of the early introduction of the Land Bill. The fifth is the claim of independent Members to be restored as soon as possible to the possession of their rights. There are only two of these points on which I need detain the House by a few words of explanation. It is unnecessary to say a word as to the extreme anxiety of my right hon. Friend the First Lord of the Treasury to introduce at the earliest possible moment the measure relating to the Irish Land Question. My right hon. Friend never concealed his opinion that it is from this measure rather than from any temporary repressive measure that any permanent improvement of the condition of Ireland is to be looked for. But Her Majesty's Government are of opinion, and the House has supported them in that opinion, that it was necessary, in the circumstances, that the temporary measure of a repressive character should be introduced and disposed of before the introduction of the Land Bill; but. independent of that decision, my right hon. Friend was strongly of opinion that it would not conduce to the calm and deliberate consideration of the proposals of the Government that discussion should concurrently be going on as to measures of a repressive and a remedial character. It is, therefore, not from any hesitation on the part of the Government that delay has taken place and may still take place in the introduction of the Land Bill. It is solely on account of the great and, as we think, the excessive delay that has intervened in the discussion of the Protection of Person and Property Bill which has just been disposed of. We do not think that the Government is in any degree chargeable for that excessive delay. We do not think that the Government have spared any labour of their own, nor have they refrained from what was more painful to their feelings—namely, urging upon the House the desirableness of making great and unusual sacrifices to diminish that delay. The only other point to which I need refer is the position of Supply, and the House probably is hardly aware of the position in which we stand in that matter. First, as to the Army Estimates, the Vote for the men is necessary as the foundation of the Army Discipline Continuance Bill. That Bill contains clauses for the abolition of flogging in the Army, and will probably occasion some discussion, and it is absolutely necessary to pass it before the Easter Recess. Vote 1, for the pay of men, must be obtained at the latest by the 21st of March. It would be extremely desirable if it could be obtained a few days previous to that date. The position of the Navy Estimates is nearly the same. The first Vote for the pay of officers and men must be obtained on or before the same day—the 21st of March; and then, as regards the Supplementary Estimates, the time is still more pressing. The Supplementary Vote for the Army and Navy, mainly in connection with the war in the Transvaal, will probably raise considerable discussion. Other Supplementary Votes, for the Irish Constabulary and the Law Charges Vote, will also probably give rise to some discussion. These must be obtained before the 21st of March, in order to form the foundation of a Ways and Means Bill, which must be passed before the conclusion of the financial year. In these circumstances it will be necessary to have five or six Sittings in Committee of Supply before the date referred to—the 21st of March. Well, then, reviewing this position from that point of view, the Government have come to the conclusion that, anxious as they are to introduce at the earliest moment the Irish Land Bill, and to restore as soon as possible to independent Members the possession of their rights, time will, in the end, be saved, delays prevented, and probably much confusion avoided, if they ask the House for a further period to continue to devote itself exclusively to Business which has been either declared by the House to be, or, as I have shown, is practically of an urgent and pressing character. The two subjects to which I refer are the Peace Preservation Bill and the Business of Supply. The statement I have to make is that to-morrow my right hon. Friend the Home Secretary will, in the absence of the Chief Secretary to the Lord Lieutenant, move for leave to introduce the Peace Preservation Bill. We shall claim for that Bill the benefit of the Resolution passed on the 26th of January, subject to a reservation which I shall almost immediately state. We shall also, to-morrow, propose, at half-past 4, in accordance with the Resolution of the 26th of January, that this Bill is urgent. It is, in our opinion, simply a part or supplement of the Protection of Person and Property Bill. It is of a character much less severe, and is simply a continuation of certain clauses of an Act which was in force this time last year. Of course, such a measure is open to criticism—it is open to obstruction—if hon. Members are so disposed to treat it; but, at the same time, it is, in our opinion, a measure which does not offer a very large field for legitimate discussion, and, under the operation of urgency, it may be, as we desire it should be, fully and sufficiently debated without any great expenditure of time. As I said, we claim the benefit of the Resolution of the 26th of January subject to a reservation, and I will proceed to state what that reservation is. I have stated, in regard to Supply, that we shall propose to the House to interpose, if necessary, in the consideration of the Peace Preservation Bill, the Business of Supply from time to time when the exigencies of the Public Service require it, and a similar reservation may be necessary to be made in favour of the consideration of the stages of the Mutiny Bill, which, as I said, must pass before the end of the financial year. I cannot have any doubt that the House will practically assent to the proposal I have had to make. How it is to be technically secured will, of course, be subject to your ruling, Mr. Speaker. Subject to your opinion, I submit that the Order of the House, as required by the Resolution of January 26, will be practically attained whenever the House thinks fit to order that the Peace Preservation Bill be postponed to a subsequent day instead of the next day, or that its consideration should be adjourned for the purpose of taking up the Business of Supply or the Mutiny Bill. That, of course, is a question which is mainly for your consideration, Sir, and to be decided at any time the point may arise. I do not think I have anything to add, except that the House is aware that Supply is the first Order on the Paper to-night, and, as stated on a previous occasion, my right hon. Friend the Secretary of State for War, looking to the great importance of the Statement he wishes to make, earnestly hopes he may be permitted to make that Statement to-night. My right hon. Friend will have to advert to many questions of great importance which have been more or less under discussion during the last three or four years, such as Army enlistment and various questions of Army organization. It would be desirable—in fact, it is almost essential—that at least a fortnight should intervene between the Statement he will have to make and his asking the House to give a money Vote. If he is not able to make that Statement to-night, Supply will have again to be put down on Thursday, and he will take the opportunity at that time of explaining to the House in greater detail the course he will be disposed to take.

MR. JUSTIN M'CARTHY asked whether the Government were prepared to name a day for the introduction of the Irish Land Bill?

MR. CALLAN said, the right hon. Gentleman the Prime Minister had undertaken that, when a statement was made in reference to the order of Public Business, an answer should be given to the question whether the Government proposed to claim Urgency for the Land Bill as well as the Coercion Bills.

MR. O'DONNELL asked whether the reason why the Land Bill was not to be introduced was that it was not ready?

MR. ARTHUR O'CONNOR asked whether it was intended to proceed with the Supplementary Estimates for the Army, the Navy, the Irish Constabulary, and the Law Charges before or after taking the first Vote on the Army Estimates for this year?

SIR R. ASSHETON CROSS: As I have on the Paper the first Notice of Motion on going into Committee of Supply, I shall have the greatest possible pleasure in yielding my place to the Government. With regard to the statement just made by the noble Lord, and with every wish to facilitate the proper progress of the Business of the Government, I hope that neither the noble Lord nor the House will think it discourteous if I say we should like to take until to-morrow to consider what would be the best advice we could give on the matter. I should like to ask the noble Lord, or you, Sir, one Question. If the question of Urgency is to be raised to-morrow, of course upon that question there can be no debate. I do not know whether it is the intention of the noble Lord the Secretary to the Treasury to raise the question to-morrow as to taking Monday for Supply. If so, that would be an opportunity for the expression of opinion. Otherwise it is difficult to see what opportunity there would be for any debate at all on the somewhat complicated arrangements proposed by the noble Lord.

MR. RICHARD asked whether the Government proposed to take all the days of private Members?

MR. GORST wished to know whether, if Urgency were voted for the Peace Preservation Bill and Supply, and the various stages of the Mutiny Bill were interposed, the latter would come under the Urgency Rules; and if that was so, he should like to ask, further, whether the Rules Mr. Speaker had laid down as applicable to Committee were applicable to Committee of Supply, and whether Mr. Speaker would consider it his duty to make any fresh Rules for regulating the conduct of Committee of Supply while Urgency remained?

THE O'DONOGHUE: If a Motion of Urgency was made to-morrow, would it not be competent to discuss the question? ["No!"] He was under the impression that it was only when Urgency was being carried out that Motions could be made without discussion?

MR. CAINE asked whether, in the present state of Business, it was necessary to sacrifice two hours on Ash Wednesday?

COLONEL BARNE said that the second of the 15 Notices on the Paper on going into Supply stood in his name, and he should be happy to give way.

SIR HENRY HAVELOCK-ALLAN said, that he had on the Paper a Notice to which he attached great importance; but, after the appeal made to him, he should be happy to postpone it, trusting that the right hon. Gentleman the Secretary of State for War would facilitate its being brought on at a future time.

THE MARQUESS OF HARTINGTON: I will endeavour, as well as I can, to answer the numerous Questions put to me. I think I have stated with sufficient clearness that it is impossible for us to name a day for the introduction of the Land Bill until after the Business to which I have referred—and some hon. Members seem to forget that the House has already decided that it shall be proceeded with—has made further progress. The question whether it is intended to propose Urgency for the Irish Land Bill had better be deferred until my right hon. Friend has named a day for the introduction of the measure. It is not our intention, in the present state of Business, to propose the Resolution with regard to Supply on Monday. The right hon. Gentleman the Leader of the Opposition pointed out the other day that, on a former occasion, there was a discussion which occupied two or three nights on that Resolution, and we do not think it desirable at present to run any risk of so great a loss of time. As to the Supplementary Estimates, I have already stated that my right hon. Friend the Secretary of State for War does not wish to take the Vote for men on the Army Estimates of this year until a fortnight after his Statement has been made, if such delay be possible; but it may be necessary to Vote the Supplementary Estimates sooner than that. As to taking the days of private Members, I have again to point out that, under a Resolution of the House, that is already the state of the case. The House has agreed that until the Peace Preservation Bill is disposed of it shall be taken from day to day. As to Ash Wednesday, I desire to consult the feelings of the House; but my own impression is, that if the House agree to the Motion I propose to make to-morrow as to Urgency, that Motion would constitute a very strong reason why we should depart from the usual practice, and why we should not sacrifice any portion of the day.

EARL PERCY said, he wished to ask if the proposal of the noble Lord the Secretary to the Treasury, which stood on the Paper for to-morrow, was withdrawn, what opportunity would be given to the House to discuss the very extraordinary proposals of the noble Lord the Secretary of State for India, who was to come down to-morrow and move Urgency—a Motion on which no discussion could take place? He would ask whether Supply would be taken under Urgency?

MR. SPEAKER: With reference to the Question addressed to me by the hon. and learned Member for Chatham (Mr. Gorst), I have to say that the Rules relating to Urgency would not relate to Committee of Supply, unless the House were to vote Supply to be urgent.

MR. O'DONNELL reminded the noble Lord the Secretary of State for India that he had not replied to his Question, Whether the Land Bill was withheld because it was not ready?

MR. A. M. SULLIVAN said, a good many Irish Members had left town under the impression that there would be a short suspension of hostilities; and he wished, therefore, to ask whether a little more time could not be allowed before the introduction of the Arms Bill, to enable them to obtain the presence of their Colleagues, so as to secure reasonable discussion?

THE MARQUESS OF HARTINGTON: The noble Earl (Earl Percy) asked me whether there will be any, and, if so, what opportunity for discussing the question as to Urgency. I submit it is not for me to interpret or explain a Resolution which the House came to unanimously a short time ago. The time for the noble Lord to have raised the question was when the House came to that unanimous conclusion. In reply to the hon. Member for Dungarvan (Mr. O'Donnell), I may say that he has not given the correct reason for the delay in the introduction of the Land Bill.

EARL PERCY said, the noble Lord had misunderstood his Question. It was not whether the question of Urgency itself could be discussed. It was, whether the proposals which the noble Lord had laid before the House, and which contained a good many other points besides Urgency, could be discussed.

THE MARQUESS OF HARTINGTON: The proposals I have indicated would, I imagine, be most conveniently discussed when the opportunity arises. When it is proposed to adjourn the discussion of the Peace Preservation Bill to a future day, for the purpose of taking up the Business of Supply for the Mutiny Bill, that, I suppose, would be the time to raise a discussion.

SIR R. ASSHETON CROSS: I understood, from the statement of the noble Lord, that the only matter for which Urgency is to be asked to-morrow is the Peace Preservation Bill, and not Supply.

THE MARQUESS OF HARTINGTON: Yes, Sir; that is so.

MR. A. M. SULLIVAN said, he understood that Urgency was to be voted for the Peace Preservation Bill; but that it was not intended to proceed with that Bill from day to day, to the end of passing it through the House; but that other Business, which was not urgent at all, might be interposed between the various stages of the Business which has been declared to be urgent. He wanted to know from Mr. Speaker, whether, having before the House a particular measure which had been declared to be urgent, it was possible to take one stage to-day, another next month, and a third in July; and that it might still be declared urgent in July, non-urgent Business being taken in the interval? He wished to know, whether, according to the Speaker's ruling, it was consistent with the theory of Urgency that non-urgent Business should be taken in sandwich alternations between the stages of a Bill which was urgent, or, whether Urgency was merely declared for the purpose of gagging a discussion upon particular measures?

MR. SPEAKER: When the House thinks proper to order the postponement of a measure in regard to which Urgency has been declared it will be at liberty to do so.

SIR WILFRID LAWSON asked whether, seeing the details which, from day to day, were laid before the public as to the war in the Transvaal, the Government did not think it right that the House of Commons should be informed what the object was which they had in view in prosecuting that war?

[No answer was given to this Question.]

THAMES RIVER BILL.

MR. COOPE wished to know if it was the intention of the Government to take the Thames River Bill to-morrow?

MR. CHAMBERLAIN said, it would be inconvenient, in the present state of Public Business, to interpose a Private Bill between the other Business which the House had to consider. He therefore proposed to postpone the Thames River Bill until Friday next; but, unless the state of Public Business was then more favourable than it was at present, he could not hold out any hope that the measure would be proceeded with on that day.

MR. RITCHIE said, as the measure was one of great importance, he hoped the second reading would be put off until after Easter.

MR. CHAMBERLAIN could not adopt the suggestion; but he hoped that, on Friday, he should be able to state what course he would adopt. At all events, he would not bring the Bill on without ample Notice.

ORDER OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE MAGISTRACY (IRELAND).

RESOLUTION.

MR. O'DONNELL, in rising to call attention to the refusal of Irish magistrates to accept bail for bailable offences, and to move—

> "That such conduct is an abuse of the powers of the magistracy, is most unjust to accused persons, and is calculated to lower the respect for the authority of the Law in Ireland,"

said this was a very serious question, and he hoped that Her Majesty's Government would return a favourable response to the claims which the Irish Members would put forth to-night on this subject, because there could be no surer or more easy way of facilitating the relations between the Irish Party and the Ministerial majority than by frankly and courteously giving an ear to complaints such as these, and endeavouring to remove the cause of those complaints. He regretted that, in making this appeal to the Members of Her Majesty's Government, he did not find even so much as one Member of the Government connected with Ireland in his place on the Treasury Bench. He could easily lay before the House in support of his case a very large number of particulars, and the single county of Galway would furnish cases of a serious character; but he had no desire to multiply unnecessarily the instances he wished to bring before the House, and he would mention those instances which might be taken as typical. In complaining of the Irish magistrates who refused to accept bail for bailable offences, he thought he was entitled to lay stress upon this fact—that the object of bail was not to allow a power to inflict punishment, but that the object of bail was simply to obtain security that the accused person should be in his place to answer the alleged offence. A magistrate, when an accused person was brought before him, was entitled to consider, if it was a bailable offence, whether he could or could not grant bail with a sufficient certainty that it would be safe for the production of the accused on his trial; but the magistrate went entirely beyond his duty, and compromised the dignity of that law which he was appointed in a subordinate position to administer, when he converted bail into a means of punishment. The conduct of a magistrate at Drumlish had already been brought before the House. The question had been asked, whether that official had not said that he would refuse to grant bail to any accused person advocating the principles of the Land League. The correctness of this version of the magistrate's words had been denied; but, on the other hand, the reporter by whom they had been recorded was positive that he had taken the statement down correctly. The Law Officers of the Crown in Ireland had declared that as a matter of fact bail had been accepted in nearly all cases recently brought before the magistrates at Drumlish. That this should have been the case showed how salutary was the effect of discussion in the House of Commons. He would now turn to the conduct of the magistrates at Tralee in refusing bail to the residents in that town and the neighbourhood who were accused of belonging to the Land League and holding an illegal court in connection with it. It was shown that no witnesses were forced to attend this tribunal, which was merely a court of friendly arbitration, and the persons charged were most respectable, and in a position to give bail to the extent of thousands of pounds. Subsequently, a superior Court ordered their liberation on bail, but not until they had been shut up in gaol for five weeks. The point to which he wished specially to draw attention was that the magistrates who refused bail in this instance were the political opponents of the persons brought before them. Nothing, he held, could tend more to diminish the authority and dignity of the law than such conduct as that which he had described. The conduct of the magistrates towards the members of the Land League in the neighbourhood of Galway had been most oppressive. It would be an intolerable grievance to the Irish people if in the next 18 months, during which there was to be neither law nor liberty in Ireland, the magistrates of the country were to be permitted to make a law for themselves and to anticipate the action of higher tribunals in accordance with their own feelings. Unless some authoritative declaration were to be made from the Treasury Bench, it was to be feared that the Irish magistracy would go vastly outside the provisions of the Coercion Bill, and an almost unlimited power of arrest on suspicion would be exercised by magistrates of the mental capacity of the one who had been intimidated by the whistling urchin at West Newcastle. He trusted that the Attorney General for Ireland would admit that he had not dwelt on this important subject at undue length, and that he would give some assurance that the actions of the magistracy under this important Bill would be carefully supervised. The hon. Member concluded by moving the Resolution of which he had given Notice.

THE O'DONOGHUE, in seconding the Resolution, said, that it would at any time be one worthy of support; but it was especially so at a time when a Bill had just passed through that House giving increased powers to the Irish magistracy. The Irish magistracy had never enjoyed the confidence of the people, in consequence of the tendency they had shown to exceed their powers. The magistrates of Ireland had been unable to restrain their impatience and to wait for the passing of the Coercion Bill, and had been continually threatening what they would do when it became law. It was only just that the Irish people should be made acquainted with the limits within which the powers of the magistracy were confined, in order that they might be prepared to resist any undue exercise of magisterial power in violation of the law. The people should be informed that, under the Coercion Bill, it would not be legal for magistrates to lock up or arrest persons except under the warrant of the Lord Lieutenant, and that they had no power to imprison anyone for resisting the payment of an unjust rent. He hoped that the people of Ireland would assert their right to take measures against magistrates and policemen who acted in the way he had indicated. He was anxious to draw the attention of the House to the manner in which a Land League meeting had been proclaimed at Causeway, in Kerry, on the 6th of February. The reason given for proclaiming that meeting was that certain magistrates were to be abused, and that a riot was to be apprehended. There was not the slightest foundation for either of those grounds for the action that was taken. The House might suppose that the magistrates referred to in the proclamation were magistrates residing either at or near Causeway, and that any denunciatory reference to them might have exposed them to personal violence or endangered their houses or property; but that was not so. The magistrates referred to were the magistrates mentioned by the hon. Member for Dungarvan (Mr. O'Donnell), who had presided at the taking of the depositions against the executive of the Kerry Central Land League at the gaol in Tralee. None of those gentlemen resided near Causeway, or was in any way connected with the district. Some of them resided 30 or 40 miles away, and none of them nearer than 15 or 20 miles from Causeway, so that if any person had been disposed to resort to violence it would have been physically impossible for him to do so. He unhesitatingly said there was nothing like facts on which to base that proclamation, and he challenged a contradiction of the statement. He had seen the Resolutions, and there was no reference in them to the magistrates in Kerry or elsewhere, or to the magistracy as an institution. The proclamation rested simply on surmise, and the magistrates jumped to the conclusion at which they wanted to arrive. But the utmost limit of illegality was reached—and to this he wished to draw the attention of the Attorney General—when Mr. Massey, the stipendiary magistrate, read the Riot Act, and then, with the military and police, drove the people out of the village of Causeway, as if a riot had taken or was taking place. The House was aware that it was a very general practice for country people to assemble in the main street of country towns on Sundays or holidays, many of them being labourers who came for the purpose of being hired, and the others people who met there to talk and chat over different matters. But Mr. Massey, in a military sense, occupied the town and its approaches. He drove the people out of the main street. He would not allow any outsiders of the district to come in, and some of the most respectable inhabitants of the town were only able to reach their homes by going through the most humiliating process of intercession to Mr. Massey. He (The O'Donoghue) very much feared that disastrous consequences would result from the unconstitutional and illegal action of the magistrates in these matters. He submitted that it was the duty of the Government to check this conduct of the magistrates, and that the power of the magistrates in Ireland ought to be reduced to the dimensions which prevailed in England. A whole countryside, he might say, were in favour of a land meeting; but two or three landlords, who were magistrates, put their heads together and concocted a proclamation based on facts which were purely imaginary. These practices had naturally a most irritating effect upon the whole people of a district. With regard to the question of the Tralee Land League, one remarkable circumstance connected with it was, that at the end of the proceedings, which lasted several days, it was perfectly clear that the magistrates had but the very vaguest idea possible of what the persons before them were charged with. He earnestly appealed to the right hon. Gentleman to check this violent action of the magistrates. He could not signalize his term of Office in a way more beneficial to Ireland than by bringing in a Bill to repeal these Acts passed in former times, which gave the magistracy of Ireland undue powers.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the refusal of Irish magistrates to accept bail for bailable offences is an abuse of the powers of the magistracy, is most unjust to accused persons, and is calculated to lower the respect for the authority of the law in Ireland,"—(*Mr. O'Donnell,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. SEXTON regarded the matter of this Motion as of great importance and of very considerable urgency. It was of great importance because the people of Ireland were at present engaged in a struggle in which the people were on one side and the landlords on the other; and as the landlords in Ireland had in their own hands the entire operation of the magisterial power, he thought it was of very great importance that that House, at the present crisis, should narrowly watch the way in which the magistrates of Ireland used their power against the people in the cases that might arise. He thought the question was also one of considerable urgency, because the magistrates had, in several cases, resorted to the course of sending people to prison for bailable offences. With regard to the resident magistrate at Drumlish, his action was unconstitutional and illegal, and his declarations were a scandal and a disgrace on the administration of justice. This magistrate declared he would not accept bail for any Land Leaguer brought before him; and, further, that he would not accept any Land Leaguer as bail for any accused person. The only question for a magistrate in regard to a bailable offence was whether there was any probability that the accused person, if admitted to bail, would abscond. They had been told very lately in that House, by a most eminent Member of the Government, that there was no intention, either by the Coercion Bill or otherwise, to apply unnecessary vexatious measures to the members of the Land League. He presumed it was the intention of the Government to give the members of that body the same fair play and the same opportunity of appealing to the process of the law which was extended to all other subjects of Her Majesty. If that were so, he was entitled to protest against the conduct of the resident magistrate at Drumlish, and to call upon the right hon. and learned Gentleman, the Representative of the Government, to say whether an official of the Government should be allowed to overthrow the settled and Constitutional rules of law, and to substitute for them arbitrary and, he would say, silly rules of his own invention? As to the Tralee case, the conduct of the magistrates was wholly indefensible; it was a shameful and cowardly prosecution. The magistrates were landlords, and the defendants were tenants and friends of tenants engaged in a legal agrarian struggle. The object of his hon. Friend was to prevent the Irish magistrates from being allowed to substitute their own arbitrary will for the rules which had been framed by wise men for the protection of accused persons. If an accused person was able to procure solvent bail he was entitled to be released from custody; and it required no argument to prove that a person entitled to his liberty should not be cast into prison. It did not require any argument either to prove that the recent procedure of the magistrates was calculated to lower the respect for the authority of the law in Ireland. The most unlettered of the people knew that when the magistrates sent persons to prison because of a prejudice they had against them they were craftily and in a cowardly manner exercising their authority in order to defeat a movement at which they had no other means of striking. He hoped that the Government, remembering that they had now extraordinary powers, would see that the ordinary law was applied in a regular and honest manner. He respectfully claimed from the Government some assurance that, while they had plenary authority to imprison any man in Ireland who was disagreeable to them, at least the persons who might be brought before magistrates and dealt with by the ordinary process of the law should have the usual rights and privileges extended to them which were commonly granted in such cases.

MR. JUSTIN M'CARTHY said, this question was so important that it was fully entitled to be discussed at the present moment, even though its discussion might lead to the temporary postponement of Business in itself very important and necessary to be done. If the rules laid down by certain Irish magistrates with reference to bail were to be adopted, they would lead to very serious results during the crisis which they were now facing. He had a Motion on the Paper in reference to part of the proceedings touched by his hon. Friend; but the question was much more effectively raised by the Motion now before the House. The particular question to which he wished to call attention was the conduct of the resident magistrate at Drumlish, county Longford. Contrary to the glowing statement of the Chief Secretary, he had the best authority for saying that there was no such thing as the desperate strategem represented for attacking the military, because the occurrence took place where no cover was afforded to the people on either side. But there might have been a very serious disturbance when the military, having got mixed up with the people, would have found it difficult to defend themselves. Fortunately the people were not disposed to resort to extremes, and they had the advantage of having the excellent advice of the Roman Catholic clergyman of the parish and some other gentlemen of influence. Arising out of this matter, a great number of men were arrested, and sent for trial by the resident magistrate, who announced that he should refuse to accept bail from any person who was a member of the Land League, on the plea that that body was an illegal society. The effect of that ruling would have been very serious to the accused, as there was hardly a respectable farmer in the district who did not belong to the League. Some Questions were put in the House on the matter, and, after some paltering, the decision of the magistrate in regard to bail was withdrawn. He had received information from people in the country, upon which he could implicitly rely, to the effect that Mr. Lloyd, the magistrate in question, was not himself inclined to strain the law against the people arrested. On the contrary, he availed himself of every opportunity to do what he could for them; but he had probably acted in pursuance of direct instructions from the authorities in Dublin Castle, who wished the attempt to be made tentatively of refusing bail when tendered by members of the Land League. If that was true, it became a matter of the very gravest importance; for if the magistrate had succeeded in carrying out his decision, no doubt in every other case throughout the country the same course would have been followed. That would have brought about a condition of things which would have deprived the great majority of the Irish farmers of the right of giving bail, and would have left them helpless, at the mercy of the police, the magistrates, and the Castle. When they had the magistrates of Ireland almost entirely opposed to the Land League, and the whole mass of the tenant population in support of it, there was nothing more dangerous, nothing more likely to lead to disturbance, or, at least, to disaffection, than the decree set on foot, and supported by the Government, that no member of the great organization of the Land League should be allowed to be accepted as security for anyone charged even with the most trumpery offence. It was therefore of great importance if there should be no truth in that statement that it should receive an explicit and complete contradiction on the part of the Government.

MR. HEALY mentioned a case in which three men were brought before some magistrates—one of the men being charged with interrupting a meeting, and the other two with expelling him from the meeting. The man who interrupted the meeting had been sent to it for that purpose by magistrates, and was released; but the other two men were detained in custody in spite of offers of bail. When the two men were brought up the next day, one of them was fined a shilling, and the other was dismissed. What object had the magistrates in refusing bail? It must be to punish the people. All the magistrates were landlords, and that was the way in which they dealt with the people. The Government supported these landlord magistrates; they did not listen to the appeals that had been made to them to appoint to the Bench solicitors and other gentlemen unconnected with the land. The magistrates were personally interested in half of the cases brought before them. It was true that when a case was called on, in which one of the magistrates present was personally interested, he said—"I won't adjudicate in this case;" but he gave a hint to the magistrates as to how they should deal with it. The magistracy were a festering sore on the face of the country, and must be altered before any improvement could come.

Mr. DAWSON observed, that if there were an impartial magistracy and a pure administration of justice in Ireland, there would be far less necessity for having in that country the best of our troops, who might be sent to other places, where perhaps their veteran courage and skilled discipline would come more to our aid. He would give the case of Carlow County, as one with which he was specially acquainted. In that county there was an overwhelming majority of Catholics. Yet out of 53 magistrates there were only two Catholics, and 49 out of the 53 were landlords. If a similar state of things existed in Bulgaria, and a Christian population were governed solely by Turkish Mahommedan officials, the right hon. Gentleman at the head of the Government would denounce that state of things and enlist with him the sympathies of the House. He (Mr. Dawson) contended that when a case came before the magistrates of Ireland the matter was judged before the complainant had opened his lips. Therefore he held that the question of the Irish magistracy was one which ought to come before the House of Commons with great force at the present moment. It was all very well to say that there was an unwritten law, but what was the cause of it? Was it not that the law of the land was put in the hand of those who hated the Irish people. Why, laws of such a character as that were enough to disgrace the Statute Book of even the irresponsible Sultan of Turkey. The continuance of the present unjust system in Ireland would leave England before the world in the position of sending out raw and unfit troops to sustain their rule in remote parts of the world, while they kept the flower of their Army to keep in subjection people who, if fairly and justly treated, would be their strongest allies in the hour of danger, and a model to the rest of the population of the country. The Irish people were an integral part of the Empire. They paid their quota of taxation. They furnished soldiers to the Army and sailors to the Navy; but in laws they were not equal. The fact that the magistrates had refused bail in the cases referred to proved that the magistrates of Ireland did not meet the necessities of the case, and were utterly against the sympathies of the people, and this endangered the British rule in that country.

The ATTORNEY GENERAL for IRELAND (Mr. Law) said, there seemed to be a misapprehension in the minds of hon. Gentlemen opposite as to the functions of the Executive Government with respect to the magistracy in Ireland. He thought if there was one principle more firmly established than another in our system, it was that the judicial establishments, high and low, should be kept, as far as possible, from the influence of the Executive. The duties of the magistrates in granting or refusing bail were regulated by statute. For many of the less serious offences the magistrates had a discretion to grant or refuse bail. Parliament had thought fit to commit that discretion to the magistrates, and unless fraud or improper motives were proved that discretion ought not to be called in question here. He did not understand hon. Members opposite to allege that the magistrates, in refusing bail, had acted corruptly and wrongly. ["Hear, hear!"] Well, he did not think that that was the charge of the hon. Member who had brought forward the Motion. Some instances had been cited to the effect that some of the magistrates in Ireland had exercised their jurisdiction of refusing or granting bail with harshness and severity. He wished to take the earliest opportunity of stating that the action taken by the magistrates in the cases referred to had been, as far as he could see, quite right. One case referred to was that of a number of persons charged with riot at Galway. In the case of a charge of riot bail might or might not be allowed; and in that case the magistrates, in the exercise of their discretion, did not allow bail. Another instance cited was that of a procession of troopers and men belonging to the Holycross Land League, who entered the demesne of a lady and perambulated it and terrified her. For an offence of this kind the persons charged were refused bail. The question of granting bail in that case was brought before the Queen's Bench in the shape of a Motion. The reason given there for the refusing bail was that the riot was a serious one, and that any reasonable bail that might be asked for would be sure to be forthcoming, owing to the connection of the persons accused with the Land League. The Queen's Bench affirmed the decision of the magistrates, and held that in that instance it was right to refuse bail. In other cases reliance might be placed on the security of bail that the person charged would be forthcoming on the day of trial; but if Land Leaguers, or other members of a body possessed of ample funds, wished to avoid a trial, the forfeiture of £100 or £200 would not prevent their failing to appear to answer the charge against them. The next case referred to was where persons had been refused bail for a riot at Drumlish; but the same argument also supported the action taken by the magistrates with reference to the accused persons. Other cases had been referred to; but he might remind hon. Members that where there was the least ground for complaint as to the action of the magistrates in refusing to grant bail for bailable offences, there was a remedy by appeal to the Court of Queen's Bench. The Tralee case was one of a peculiar and novel character; and not only was it a novel case, but it was also a very serious one. That matter had been taken before the Court of Queen's Bench, and that Court had held that it involved a very high misdemeanour, which even nearly approached treason. The House had been told that the confidence of the people of Ireland in the magistrates was utterly destroyed by their action in the instances referred to. He hoped that this was not the case, and that the House would not think there was anything to deserve the condemnation that would be involved by the passing of this Resolution. He appealed with some confidence to hon. Gentlemen opposite as to whether, upon the whole, the magistrates deserved the very sweeping charge that was made against them in this Resolution of having abused the powers they were called upon to exercise in the cases brought before them. He would put it, indeed, to the hon. Gentleman who had moved the Resolution whether he thought it worth while to press it to a division.

MR. CHARLES RUSSELL said, that his right hon. and learned Friend the Attorney General for Ireland had met the Motion in a candid and courteous spirit; and he concurred in the opinion expressed by him that a sufficient case had not been made out to justify the House in passing the Resolution. The discussion, however, which had taken place had not been without its uses. He had given a considerable amount of attention to proceedings of magistrates in Ireland, and had come to the conclusion that they had reversed the principle of law on the question of bail. That principle was that all offences were *primâ facie* bailable. No doubt statutes had been passed restricting, in certain cases, that Common Law principle under which magistrates ought not to inflict punishment before trial; but merely take steps to insure that the accused person would be present to take his trial. In many instances, however, the Irish magistracy, instead of proceeding on the principle of admitting all persons to bail except in extreme cases where they might be expected to refuse bail, had rather gone in the opposite direction, and had, practically, refused bail in all agrarian cases. He wished to point out that, in many cases, this refusal of bail by the magistrates was, practically, a denial of bail altogether. It was idle to point out that all such persons had a right to appeal to the Court of Queen's Bench in Ireland, because it must be plain that in the great majority of cases the expense of finding solicitors and counsel was so great that an appeal was, practically, beyond the reach of the parties. Take the Tralee case. The Attorney General said that was a serious case, because a number of persons were charged with holding a Land League Court. An offence of that kind might, under certain circumstances, be very gave and serious, approaching to the character even of high treason; but, on the other hand, it might be an exceeding venial offence; and if all that took place was the seeking to treat certain disputes as to the ownership of land by the *quasi*-arbitration of this Court, it was giving it too dignified a name to call it misprision of treason. The person charged was a householder and the proprietor of one of the principal papers in that part of the country; and it seemed to him an exceedingly hard case to suggest that he should be sent for trial and be kept waiting in prison until his trial, so that he received punishment before his guilt or innocence had been determined. It was important at this time that the great Constitutional right of the accused to bail should be jealously and carefully guarded, for the reason that these so-called agrarian offences were dealt with by the magistrates, who composed the very class against whom they were supposed to be directed.

Mr. T. P. O'CONNOR expressed his regret at the absence from the House of the right hon. and learned Attorney General for Ireland.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. T. P. O'CONNOR, resuming, said, that as the right hon. and learned Attorney General for Ireland had now returned to his place he hoped that he would have the politeness to remain and listen to his speech. With all deference to the argument of the right hon. and learned Gentleman, he (Mr. T. P. O'Connor) maintained that this extraordinary state of things existed in Ireland—that those who as members of the Privy Council directed prosecutions were Judges of the land, the executive and judicial functions being thus combined. The resident magistrate also usually acted as a detective, being instrumental in getting up cases on which he afterwards adjudicated.

The ATTORNEY GENERAL for IRELAND (Mr. Law) denied that such was the fact.

Mr. T. P. O'CONNOR contended that it was so, and that the magistrates received their instructions from Dublin Castle, as was shown in the case of the Chief Secretary's recent Circular. The magistrates knew as well as possible what Dublin Castle wanted, and they acted accordingly. He regretted to find that the Whiteboy Acts were not to be allowed to become absolete. Those barbarous and iniquitous Acts were a disgrace to a civilized Government; and if the official duties of the right hon. and learned Gentleman (the Attorney General for Ireland) had left a spark of generosity or manly feeling in his breast he would, before leaving Office, endeavour to have them removed from the Statute Book. These laws enabled the Courts to inflict punishment so severe as transportation beyond the seas for life for what ought to be offences against the Civil and not against the Criminal Law. With regard to the question of bail, it was simply a mockery of justice to tell the poor tenant farmers and shopkeepers living in remote districts that they could appeal to the Court of Queen's Bench in Dublin, for many of them could not even afford the railway fare to Dublin, much less the expense of £15 or £20 in feeing counsel. And supposing a poor tenant did go there, he would find a landlord on the bench, or a sympathizer with the landlord, or a Rabagas who had risen from the National politics of his youth to the anti-National politics of his age; or, to use the phrase of the Chancellor of the Duchy of Lancaster, "from dirt to dignity." He could give an instance of the class of magistrates in the locality with which he was acquainted. The other day a magistrate got drunk—not an unusual course with those functionaries, he could assure the right hon. and learned Gentleman—and was locked up by the police. A brother magistrate came, and he did not know that he was any better so far as sobriety was concerned, and let him out on bail. The next day one magistrate adjudicated the case of the other, and the magistrate who had offended the law and had been locked up was fined a penny. The dissolute landlord and magistrate class had the right of public meeting in their hands, could disperse meetings; and if a declaration was made that there was a riot they could shoot down the people. The landlord tracked the tenant through every phase of his private, social, and political life. The House had often of late heard the grounds upon which the Chief Secretary had brought forward his coercive measure. It was that there was a village tyrant and a dissolute ruffian in every part of Ireland. He could tell the House that there were village tyrants and dissolute ruffians in every part of Ireland; but they were the Irish landlords, and not the Irish tenants. That was a fact as notorious as any fact in Irish history. A more ill-conducted, dissolute, and vulgar body of men did not exist. Paltry and petty in their ideas, drunken and mean in their character, they had side by side the pride of the Spanish Hidalgoes and the meanness of the lowest members of society; and these were the men who swaggered and dispensed the law from the judgment seat.

Question put.

The House *divided*:—Ayes 85; Noes 18: Majority 67.—(Div. List, No. 98.)

Main Question again proposed, "That Mr. Speaker do now leave the Chair."

MR. M'COAN, who had on the Paper a Notice of Motion to the following effect:—

> "That the present constitution of the Irish Magistracy and the whole body of the county officials throughout Ireland was incompatible with the proper administration of justice and operated inequitably as against the Catholic population of the county;"

said, that, though he understood the Motion could not now be put, he gladly availed himself of an opportunity of ventilating the subject which he had vainly sought earlier in the Session. If he was not provided with statistics to support his allegations, the fault was not his but that of the Government, who refused the Return which would have enabled him to quote chapter and verse for every statement he should make.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. M'COAN proceeded to say that the main facts of the case were sufficiently notorious to form the foundation of some remarks which might not unusefully be addressed to the House. In calling attention to the magistracy and the general body of officials in Ireland, it was no part of his intention to attack either the class or individuals belonging to it; and, being a Protestant himself, he could not be suspected of being influenced in this matter by any religious bias. But the constitution of both bodies was eminently unsatisfactory. The grand objection to the magisterial body in Ireland was that while 9-10ths of the population were Catholic, 19-20ths of the magistrates were Protestants. It might be said the reason of that great preponderance of Protestants on the Bench was the difficulty of finding properly educated and qualified Catholic nominees. There might be something in that; but it did not entirely account for the enormous disproportion that existed. In the county of Wicklow, which he had the honour to represent, which was essentially a Catholic county, there were 93 magistrates, only three of whom were Catholics, 80, at least, of the remaining 90 being either landlords or land agents, who constituted a class that was antagonistic to the great body of the agricultural population in interest, feeling, and faith. Now, he knew a score, at least, of Catholics whose position, wealth, and social status qualified them for the Commission of the Peace; and yet it was many years since a single Catholic had been appointed. In Carlow County there were 52 magistrates; and of them 50 were Protestants, and two Roman Catholics, and 49 were landlords, or agents of landlords. In other counties there was the same disproportion, and the like might be said of the official classes generally—that was to say, the Lord Lieutenant and Deputy Lieutenants, Clerks of the Crown, Clerks of the Peace, Clerks of Petty Sessions, Crown Prosecutors, and members of Grand Juries—all were composed of Protestants in the same vast disproportion. What was the result, practically, of a great administrative caste composed in this way? Of these gentlemen individually and collectively he did not wish to say a word beyond this, that very substantial injustice was done to the great body of the people. There was a universal want of confidence on the part of the Catholic population in a magistracy thus composed. The Grand Juries administering county finance were nearly all Protestants; and the allegation was that they employed the money in Protestant rather than in Catholic channels. There was an unbroken chain of abuses running through the whole of these administrative functions. The fault did not lie with the present or the late

Government. The evil had been patent for many years, ever since the Union. One especial reason for calling attention to this state of things now was to be found in the Bill which had recently passed that House and the new powers given by it to the Government. Those new powers would not be confined to the Lord Lieutenant and the Chief Secretary, as they must of necessity be at the mercy of a whole army of subordinates, including Protestant police-inspectors. The magistrates in Ireland consisted of two classes—the great unpaid, and the stipendiaries, called "resident" magistrates. The unpaid were mainly landlords and land agents. No doubt, many of these gentlemen were perfectly competent to discharge the duties committed to them, and did credit to the Petty Sessions Bench; but they had the fundamental disqualification that they were essentially Protestant, and the only way to cure that evil was to leaven them by a considerable addition of Catholic colleagues. More objection attached to the resident magistrates than to the others. They consisted largely of ex-Army officers. They were the nominees of Lords Lieutenant of counties and of the large landowners, and they were usually men who had failed in some other calling, and whose appointment was secured by jobbery and influence at Dublin Castle. At the same time, there were at the Irish Bar many thoroughly sound lawyers who, although they had not succeeded in their profession, were well qualified to discharge the duties of resident magistrates, and who would be glad to accept these appointments if they were thrown open, as they ought to be, to those who were best fitted by education and training to fill them. Therefore, his suggestion would be, as he could not press his Motion to a division, that it was expedient and desirable that a large addition should be made to the Catholic element in the county magistracy. there being admittedly abundant material for the purpose; and as regarded the stipendiary portion of it, the Attorney General for Ireland was a better judge than he was how far such a reform as he had suggested was advisable, and how much available material for the purpose there was in the Four Courts. He should at the earliest opportunity, at a later period in the Session, endeavour to shape a Motion on the question which would enable the House to have it discussed at greater length, and take such action as the proper administration of justice and fair play to the Irish people required.

Mr. A. M. SULLIVAN said, the question brought under the Notice of the House by the hon. Member for Wicklow (Mr. M'Coan) was one of the first magnitude. It would be an important one at any time; but it was especially so at the present time, when exceptional powers were to be placed in the hands of the Executive of Ireland. It was a long time since Parliament granted Catholic Emancipation; but it had not yet become a reality in Ireland. In 1833 and 1834 this subject was discussed in a manner and spirit which amounted almost to an impeachment of the Government of that day; and the evils which then prevailed existed now. Lord Mulgrave, who was Lord Lieutenant, and the permanent Secretary, the lamented Mr. Drummond—a man thoroughly worthy of the position which he filled — perceived the evils which existed, and they set themselves to remedy them; but what was the effect of their policy? Why, the whole magistracy of Ireland combined against them, and the conduct of those men who had laboured so much for Ireland was debated in that House—they had to submit to the "Boycotting" of the age in which they lived. The magistracy of Ireland now were very much the same as Lord Mulgrave found them in 1834; and what he (Mr. Sullivan) wanted to impress upon the Government was that a change in the system was absolutely necessary. When Catholic Emancipation was being passed, alarmed Protestants said it would extinguish Protestant ascendancy; and Sir Robert Peel gave a reply which breathed the spirit of all English legislation for Ireland. He said that to render Roman Catholics eligible to sit on the Magisterial Bench was one thing; but to allow them to get the appointments was quite another. Mr. Froude had commented strongly on the fact that emancipation in this respect was still so far from being a reality. No doubt, it was a great concession that there were Catholic Judges on the Bench in the Four Courts in Dublin; but it was in the Petty Sessions alone that the administration of justice was brought home to the masses of the people, and it was there they were affected by class prejudices and traditional oppression. In Ireland the landlord class, from whom the magistracy was recruited, differed from the mass of the people in personal interest, in political feeling, and in religious profession; whereas in England the magistracy in the rural districts was divided from the population by the distinction of property alone; and, consequently, the country gentlemen who acted as magistrates looked upon the people as being under their protection and care. In Ireland magistrates conducted themselves as if they were acting in the interests of a garrison, watching the white Kaffres around, and noting their sullen discontent and active sedition. Magistrates, in fact, appeared to think that they were appointed more for the purpose of maintaining what they considered to be the rights of property than for that of administering the law. In nine cases out of ten in Ireland the appointment of a man as magistrate depended upon his being the owner of broad acres, or the agent of a landowner. But another qualification was also necessary—namely, that the candidates should conform to the political prejudices of the Lord Lieutenant of the county. The post of magistrate, he held, should not be given as a reward for Party servitude. The Irish Representatives considered it their duty to bring this question before the House, as they felt that the people would never recognize religious equality while the present state of things existed. He knew a case in which a gentleman—Mr. John Warren Payne, a gentleman of great ability and great influence, one for whom, personally, he had the greatest respect, the agent of the Earl of Bantry—sat on the Petty Sessions Bench, in a a court-house situated on his Lordship's estate, and tried men for trespassing in search of underwood in the demesne. In that case the people could scarcely regard him else than as prosecutor and judge, and could have no sufficient confidence in his impartiality. Surely such a circumstance as that was not calculated to increase the confidence of the people in the administration of justice. He would only add, in conclusion, that his hon. Friend (Mr. M'Coan) had called attention to this matter in the hope of eliciting from the Government a declaration that the present system would receive their earnest attention, and that the Lord Chancellor would in future be permitted to select candidates for magisterial appointments without reference to the nominations of Lords Lieutenant of counties, who were, in many cases, political partizans.

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson) regretted exceedingly that now, for the first time for a great many years, there had been introduced into that House what he might, perhaps, designate as an unseemly controversy—that religious persuasion should be a qualification for the administration of justice. He thought at last they had arrived at a time when justice might be administered without regard to whether the administrator of justice worshipped according to the convictions of his own faith in one Church or in another. He could not, however, fail to recognize the thorough sincerity of the hon. Members who had brought this subject forward, and who had shown a moderation which deserved respect, if not admiration. With reference to the first part of the Motion, he had to point out that the magistracy in Ireland consisted of four classes. The first class were the resident or stipendiary magistrates, appointed by the Government; and on looking through the list of those among the resident magistrates whom he knew, he had found that at least 14 of them — there might be more—professed the Catholic faith. The next class of magistrates was composed of the borough magistrates, who were appointed by the Lord Lieutenant. His hon. Friends would find that there was no instance of the appointment of a borough magistrate being due to his religious persuasion. In the third class were the Town Council magistrates, appointed under the Towns Improvements Act. In their case, the Council recommended a person to be appointed by the Lord Chancellor, and the person so recommended was always appointed. The county magistrates formed the remaining and largest class. There was no difference whatever between the mode of their appointment and the appointment of county magistrates in England. The Lord Lieutenant of the county, who was usually the *custos rotulorum*, was considered to be the person best qualified, from the sources of information at his command, to recommend to the Lord Chancellor the persons most fitted for appointment to the Bench. The recommendations made by the Lord Lieutenant of the county were examined by the Lord Chancellor, with whom the initiative did not lie. There were, however, exceptional cases in which persons had been strongly recommended to the Lord Chancellor as persons who ought to be placed in the Commission of the Peace, but not by the Lord Lieutenant of the county. The course adopted in that case was that the Lord Chancellor inquired the reason why such a person had not been recommended to him by the Lord Lieutenant of the county, and, if it had happened by inadvertence, the Lord Chancellor required the recommendation to come to him through the regular channel. But if the reason for the omission was not satisfactory, the Lord Chancellor had jurisdiction, which, however, was rarely exercised, to appoint without a recommendation from the Lord Lieutenant of the county. Having occasion last Session to make some inquiries upon this subject, during the absence of his right hon. and learned Colleague the Attorney General for Ireland through illness, he (the Solicitor General for Ireland) had received a letter from the Lord Chancellor, from which he would read extracts to the House. His Lordship said—

> "As to how many Catholics qualified for the commission of the peace have applied to the Lieutenants of counties, and been rejected, they have been in my own time very few indeed."

And his Lordship further proceeded—

> "I have always regretted the disproportion between the number of Episcopalian Protestants, Catholics, and Presbyterians in the magistracy of the counties; and I have felt that to inspire the people with confidence in the administration of justice everything practicable should be done, notwithstanding the disparities of wealth and position—[which make the difficulty]—for the purpose of redressing this inequality. I have striven to do so whenever I have had an opportunity of interference, and fit and qualified candidates for the commission could be found."

How was it, then, that the state of things described by the hon. Member could have occurred?

Mr. M'COAN said, he did not mean to say that persons recommended had not been accepted; but that there were Catholics who were well qualified for the Bench who ought to have been appointed.

The Solicitor General for Ireland

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson): How was it, then, that persons properly qualified had not been brought under the notice of the Lord Lieutenant of the county; and, if passed over by him, that an application was not made to the Lord Chancellor? Was it not a little too much to complain that persons were not appointed, when the necessary steps were not taken to lay information before the persons who had power to appoint?

Mr. M'COAN said, he should be happy to act on the hint,

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson) said, it was no hint, but was a fact which was perfectly well-known in Ireland. The hon. Member had been so long absent from Ireland that he was not as well acquainted with the facts of the case as others were. The Lord Chancellor proceeded to say that there was a settled system which gave the initiative to the Lords Lieutenant of counties; but that since he came into Office last May — and his letter was written in August—he had not received a single complaint with which he could deal. Was not that an answer to the case that Catholics were not appointed to the Commission of the Peace? He would pass from the Lord Chancellor's letter to refer to the county with which he was himself the most familiar, and in which he had lived the greater part of his life, the county of Cork. The Earl of Bandon, a Conservative by family and tradition, and a Protestant, was Lord Lieutenant of that county. During the three years his Lordship had been in office he had appointed, or rather recommended the appointment of, 67 magistrates. The county measured about 80 miles from east to west, and 40 from north to south. The great bulk of the landed property belonged to Protestants. The hon. and learned Member for Meath (Mr. A. M. Sullivan), a Cork man, would bear him out in his statements. Of those 67 magistrates 26 were Catholics. He (the Solicitor General for Ireland) had recently had occasion to recommend to Lord Bandon for the Commission of the Peace a Catholic magistrate, and the application was hardly made when the appointment was complete, and the gentleman was now sitting on the Bench at Mallow. Within the last few days he again had occasion to bring under the notice of the same Lord Lieutenant of the county a gentleman for the Commission of the Peace in a district where a magistrate was needed, and the gentleman he recommended was a Catholic engaged in commercial pursuits. [Mr. M'Coan: In Mallow ?] No, not in Mallow. The hon. Gentleman was wrong again. He was a gentleman who had won his spurs in commerce; and it was very much to be regretted that, owing to the false pride that pervaded the country, there were not more Irishmen willing to win their spurs in the same manner. At all events, as far as the county of Cork, the largest county in Ireland, was concerned, it was not open to the reflection that none were appointed to its magistracy but territorial aristocrats. The Earl of Bandon had informed him that there was not a Catholic in the county properly eligible for appointment to the Bench whom he would not be happy to recommend.

Mr. CALLAN asked if the Lord Chancellor referred to Cork, or Ireland as a whole?

The SOLICITOR GENERAL for IRELAND (Mr. W. M. Johnson) replied, that the Lord Chancellor did not refer to Cork; but his own observations were directed to that part of the country with which he was personally acquainted. He would next deal with that part of the question which related to county officials. He would again ask the hon. and learned Member for Meath, whose knowledge was probably more extensive than his own on this subject, to confirm what he said. As to contracts, he would say that five-sixths of them were given to Catholics, because by far the larger proportion of the contractors professed that creed. He had hoped, however, that these miserable distinctions of creed on such questions were forgotten and buried in the past. It was by no means uncommon for Catholics to be appointed High Sheriffs and to be chosen as foremen of Grand Juries. He thought that the redress of the grievances complained of lay in the re-constitution of county government, and he believed the present Government would act upon the principle that representation ought to accompany taxation. It was to the future, and not to the past, that they were to look for the redress of all those matters which they had been taught to consider grievances and wrongs. This Government was going to remedy the grievances; and one of the greatest misfortunes was that, owing to matters to which he should not further refer, this reform had been so long postponed. In conclusion, he hoped the hon. Member would be sufficiently satisfied with having called attention to the subject.

Major NOLAN thought the speech of the hon. and learned Gentleman was very satisfactory, and had confidence in the intentions of the Government to introduce measures of redress. But he did not think that the appointments to the Bench should be confined solely to landlords. He thought the Government would, under the peculiar circumstances of the country, see that large tenant farmers should be put upon the Bench. It would contribute a great deal to the fairness of opinion of the Bench; for in Ireland the magistrates were not merely the administrators of justice, but they influenced the local appointments and the general management of the poor law in the neighbourhood. The tenants were, at present, unrepresented to a very large extent on the Commission of the Peace. He had no complaint to make so far as his own county was concerned; but there was one particular part, Connemara, which was in a bad way, nine-tenths of the magistrates being Protestants among a population 95 per cent of which was Catholic. The Government would require to watch very closely that the recommendations of Members of Parliament were attended to by the Lords Lieutenant, so that an adequate number of Catholics were appointed. They did not ask for as many Catholics as Protestants—they did not desire a revolution—but they certainly desired a change from the present system.

Mr. FINIGAN urged that the time had come when the religion of a man should no longer bar him from holding the office of a magistrate, or from fulfilling any other official position. Dublin Castle was notoriously corrupt, and the officials, with the exception of the Lord Lieutenant, trod in the paths of injustice and prejudice towards Ireland. Their policy was directed to the keeping up of the garrison system in Ireland, and the retention of the magisterial power in the hands of the dominant class. The Lord Lieutenant was, more or less, a mere signatory power in the hands of these officials, who seldom did any act of justice irrespective of creed or politics. As to politics, he would sooner have Conservative than Liberal magistrates, for the former were of a higher class, and he had found them more straightforward in their policy than many so-called Liberals. In illustration of his argument against the present system of selecting magistrates, he might refer to the case of a certain young nobleman who, when he was thought unfit to remain in the Army, even as a private, was raised to the dignity of a county justice in the model county of Cork. Another instance he might mention was that of a large landowner, of very eccentric ideas, in the county of Clare. That gentleman had not only manufactured two of the outrages which were reported in the Returns now lying on the Table of the House; but when he had a difference of opinion with a brother magistrate, he pointed a pistol at his head and asked him to go and settle the matter outside. In conclusion, however, he might add that it was not against the men, but against the system, that he argued and protested; and he contended that magistrates ought to be chosen who had the confidence of the people, and not simply on account either of landlord influence, or of their readiness to acquiesce in every act of the officials of Dublin Castle.

Colonel COLTHURST said, he could not admit that the statement which had been made by his hon. and learned Friend the Solicitor General for Ireland with respect to the magistracy of the county of Cork was strictly correct. He quite agreed with the hon. Member who had drawn attention to this subject as to the necessity for putting other persons upon the Bench than merely landed proprietors. The names of gentlemen who, to his knowledge, were well qualified for the Commission of the Peace had been before the Lord Lieutenant of the county for the last 12 months. As to its being the fault of Members of Parliament or others interested in recommending Roman Catholics that they had not applied to the Lord Chancellor, he confessed that, up to the time when his hon. and learned Friend spoke, he, for one, was in complete ignorance that that was the case, having thought that the Lord Chancellor would not interfere except in the most glaring instances.

Mr. BYRNE complained that magistrates in Ireland were chosen from Party motives and as the reward of Party services. Too much weight was also given to property qualification, to the neglect, sometimes, of moral character. He knew of an instance in which a magistrate was drunk six days in the week, and caused great public scandal by his intemperate habits. He must remind the House that the magistrates had the administration of the Licensing Acts in their hands. They could grant licences to every man, and allow public-houses to be established at every cross-road; and, on the other hand, they could refuse licences, so that people could not get the refreshments they required. They had power to commit people to prison or to release them on bail according to their whims or fancies. They had also everything to do with the police arrangements and the disbursement made in connection with the Grand Jury system. The Poor Law in the country also made a large number of the magistrates *ex officio* guardians, and thus they had the administration of the poor rates. Such men ought to be thoroughly schooled in law, instead of being almost entirely ignorant of it. He believed there was a case where a magistrate knew so little of the law that he had ordered the military to fire on the people without himself having taken the precaution to read the Riot Act. As to the county officials, they were all of the same religious persuasion as the other dominant classes, and even the governors of gaols were not Catholics. All these officials had no interest in the people, and had no feeling for them. The magistrates and officials ought not only to be humane men, but well qualified, so as to administer justice in the country in a manner that would cause everyone to respect the law.

Mr. CALLAN regretted that the hon. Member for Wicklow (Mr. M'Coan) brought forward this subject at so inopportune a moment. It was a question which ought to be discussed on its merits, and not as a stop-gap. That being his opinion, he would not have intervened in the debate but for the letter of the Lord Chancellor of Ireland which the Solicitor General for Ireland had read. It was well known that Lord O'Hagan was elevated to the high position of Lord Chancellor of Ireland in 1869, not on account of his ability or of his knowledge of law, but expressly for the purpose of inspiring confidence among the Roman Catholics of Ireland that the social and class inequalities which existed in the country would be redressed. So great were the inequalities in Ulster, that in 1871 a Commission was appointed by Earl Spencer to inquire into the complaints made by the borough of Dungannon. The Lord Chancellor, in his remarks on the Report then made, commented in decisive language on the unfair and unrepresentative character of the Tyrone magistracy, among whom Catholics and Presbyterians were almost unknown. Lord O'Hagan left Office in 1874, having been Chancellor for five years; but the state of affairs at the end of his tenure of Office was absolutely worse than when he entered on his functions. For many years past it had been very difficult to procure the appointment of Roman Catholic magistrates, and political interest and political manœuvres had often been used with that object. Thus, in 1868, Mr. Chichester Fortescue had undertaken to advocate such appointments, in order that, on taking Office, he might be re-elected without opposition for Dundalk. But the change had not been made in places where it was not equally necessary to nurse Whig interests. In Donegal, for instance, the Roman Catholic Bishop had complained that the magistrates were exclusively Protestants. He could not refrain from supporting the Amendment, as he regarded the question as having, not merely a social, but a sectarian as well as a political aspect, and as being one which demanded and required the earnest consideration of the Government.

MR. LITTON, in supporting the Amendment, said, he was convinced that the Lord Chancellor of Ireland felt acutely the position in which he was placed with regard to the magistracy. No one could shut his eyes to the fact that the Roman Catholic magistrates were few in Ulster, and the Lord Chancellor would be glad to remedy the defects of proportion to population; but the appointments were always made on the recommendation of the Lords Lieutenant of counties. That power was the usual preliminary one. It was solely used by those gentlemen; and, unfortunately, some of them resided out of the counties and knew little of the persons fitted for the Bench, and consequently their common excuse was that they had no personal acquaintance with those gentlemen who were brought under their notice. There were many Roman Catholic gentlemen who were entitled to seats on and who would adorn the Bench, and who would administer the law with honour to themselves and credit to their country; but they were not known to the Lord Lieutenant, and therefore they were not recommended and not appointed. It was, however, a most fallacious argument to say that because the Roman Catholic population was the larger, therefore the Roman Catholic magistrates should be in proportion, because there were many reasons why that should not be so. He believed that a Lord Chancellor of Ireland could not, even for a Party purpose, take a case of candidature for the magistracy out of the ordinary course. Of this he was quite sure—that the present Lord Chancellor could not and would not do so.

MR. DAWSON said, he quite agreed with the course taken by the Lord Chancellor of Ireland, and that it was the system which they attacked and not individuals. He would, however, dismiss that question, and call attention to the Notice which he had placed on the Paper, which was—

> "That the Law regulating the application of 'fines' and fees in Petty Sessions Courts—Ireland, ought to be assimilated to that existing in England."

In his opinion, the grievance which had been brought before the House was largely traceable to the fact that in the case of petty sessions clerks' remuneration, and that of other officials, its amount depended to a great extent upon fees on conviction. It was the interest, therefore, of those officials that the number of convictions should be multiplied. The same had been the case in this country until the Howard Society brought the matter before Parliament, which, in the course of a single Session, redressed the grievance; and he, therefore, hoped it would, with the same promptitude, assimilate the Irish to the English usage.

MR. LALOR said, religious intolerance might be charged against them; but he pointed out that those people who complained of intolerance were the very men who supported it. In Queen's County there were 80 magistrates, of whom only eight were Catholics. This was a disparity which could not be favourably regarded by the population, the vast majority of whom were Roman Catholics. It was also a just subject of complaint that the possession of landed property seemed to be the chief and almost the only qualification for the magistracy of Ireland.

MR. BIGGAR said, this was one of the many subjects in which the Irish people were peculiarly interested, and in respect to which they had a very great and substantial grievance. He did not bring wholesale charges against the magistrates of Ireland; but he had no hesitation in asserting that many of them were thoroughly partial in their conduct, and not at all qualified to hold the position assigned to them. In his opinion, the appointment of magistrates ought to rest in the ratepayers, and not in the Lord Chancellor, through the Lord Lieutenant of the county. If the ratepayers were competent to select Members of Parliament, members of Poor Law Boards, Town Commissioners, and Town Councillors, they were surely competent to choose persons to administer justice. If this power were only vested in them, he felt sure that a greater confidence in the administration of justice would be found to exist. In point of fact, the present mode of appointment was a mixture of political corruption and social favouritism by the local lieutenants of the different counties. He hoped the Government would take into consideration the desirableness of devising some means by which the ratepayers might appoint magistrates in whom the Irish people could repose confidence. Next to the Land grievance, the administration of justice by magistrates was the greatest grievance in Ireland.

MR. CHARLES RUSSELL said, the importance of this question was very great. It was so important, that he deeply regretted that it had been brought forward for discussion at a time when it could not be considered without a certain amount of prejudice. Indeed, he should not have interposed personally in the debate, if it were not for the fact that he had been given to understand, upon the best authority, that there was no intention on the part of the right hon. Gentleman the Secretary of State for War of proceeding to make his Statement upon the Army Estimates at that hour (12 o'clock). The particular reason why he should ask the attention of the House for a moment or two was that the hon. Member for Louth (Mr. Callan) had referred, in a manner which he was afraid he must say was marked by a considerable appearance of personal acrimony, to the name of Lord O'Hagan, the present Lord Chancellor of Ireland. He (Mr. Russell) had had the honour of knowing Lord O'Hagan intimately for many years of his life, and he would be wanting in respect for his character and attainments if he did not say a word in his noble Friend's behalf. The position of the Lord Chancellor, in reference to the appointment of magistrates, was recognized to be one of very great difficulty indeed; and, as had been truly said, if there had been shortcomings on the part of Lord O'Hagan in the appointment of magistrates, those shortcomings were not due to any want of desire on his part to do perfect justice, but to the system which he had to administer. He (Mr. Russell) was able to say, from his own knowledge, that his noble Friend had taken great pains to mitigate the evils of the present system. Hon. Members representing English constituencies knew that it was a uniform rule to appoint magistrates only from among those who were recommended to the Lord Chancellor by the several Lords Lieutenant of counties. The present Lord Chancellor had, however, in some exceptional cases, where the recommendation of the Lord Lieutenant had not been forthcoming, met the difficulty by making the appointments directly himself. The precedent was, in his (Mr. Russell's) opinion, a perfectly sound, reasonable, and just one. To show the difficulties in which the Lord Chancellor was placed in the matter, he might mention that he himself had been requested by Lord O'Hagan to make inquiries in England whether there were any known cases in which the Lord Chancellor had appointed magistrates on his own responsibility, in the absence of nominations from the Lord Lieutenant. He had accordingly placed himself in communication with the Secretaries of three successive Lord Chancellors, and he had not been able to find one case in which the Lord Chancellor of England had appointed a magistrate except on the nomination of the Lord Lieutenant. Notwithstanding that fact, Lord O'Hagan, in his desire to do justice, did, as he (Mr. Russell) had stated, act on his own sole responsibility. He gave the noble and learned Lord every credit for having done so; and he was sorry that the hon. Member for Louth had thought it necessary to introduce the name of Lord O'Hagan in what certainly appeared to him (Mr. Russell), although he hoped he was mistaken, a tone of considerable personal acrimony.

MR. CALLAN remarked, that he had not introduced the name of the Lord Chancellor at all, but had simply commented upon statements made by previous speakers.

MR. GRAY said, that in the county which he had the honour to represent—Carlow County—the great majority of the people, as was the case elsewhere in Ireland, were Roman Catholics. The proportion was something like 40,000 Catholics to 10,000 Protestants; but out of the 52 magistrates, only 4 were Roman Catholics, the remaining 48 being Protestants. All the county officers were Protestants, almost to a man. The Lord Lieutenant was a Protestant; and it was believed that if a Lord Lieutenant was occasionally appointed of a different religion, it would afford an easy means of reforming the present system. The Crown Prosecutor was a Protestant and a land agent; the Clerk of the Peace was a Protestant; the Crown Solicitor was a Protestant. Thus, all the appointments which were not in the gift of the Lord Chancellor, and which were conferred without any nomination at all, were given to Protestants. The Returning Officer was a Protestant, and all the officers of that class were Protestants. The result was to destroy all confidence in the administration of justice wherever the question of religion was brought to bear. This was not the case in England, where, although the bulk of the population were Protestants, the public appointments were made irrespective of religion. The speeches to which they had listened were full of instructive facts, showing the abuse of the present system. Where such abuses were perpetrated, was it possible that the people could have much respect for the administration of justice? The hon. and learned Member for Dundalk (Mr. C. Russell) seemed to think that the existing state of things was the best that could be provided.

MR. CHARLES RUSSELL said, he had not expressed any agreement in the system. On the contrary, he thought it was highly objectionable.

MR. GRAY continued: The hon. and learned Member said that in England all the appointments were made on the nomination of the Lord Lieutenant of the county. He (Mr. Gray) did not believe that that was the invariable rule; and he would appeal to the learned Attorney General whether there were not representative bodies in England who had the right of nominating magistrates? If so, he thought it was a precedent which might very well be followed in Ireland. He believed, also, that there were instances in England in which certain persons, by virtue of their position, became *ex-officio* magistrates. ["No!"] He thought there were such cases in London; and although he did not remember the name of the town at that moment, he had certainly read the report of a discussion in which the Town Council claimed the ancient right of nominating magistrates. If they wanted to insure respect for the administration of justice, it was most necessary that they should alter the present mode of appointing magistrates. It was not the business of the Irish Members to provide a remedy. It was enough for them to point out the abuse, leaving it for the Government to devise the remedy. The Government were paid for it. They had taken Office and the emoluments of Office, and, in doing so, they had accepted the responsibilities of the position—one of them being the remedy of all grievances that could be pointed out. The Government might have taken a great step if they had consented to give a Return of the name, religion, and occupation of every magistrate appointed in Ireland. There was no great offence in asking a man who held a high official position to state the nature of his occupation and religion. But Her Majesty's Government did not think that any reform in this respect was required, and therefore they refused to grant Returns. The information could readily have been obtained and placed on record, for where there was the will there was the way. There was no intention and no desire to enter upon an Inquiry. The appointments were in the gift of the Crown; but there was no desire to pay deference or respect to public opinion. The difficulty was not of a mechanical or administrative character; but if they took the whole body of the appointments, from the Castle down to the lowest official, it would be found that they were permeated by a want of sympathy with popular demands.

Mr. O'DONNELL rose to continue the debate, when——

Mr. SPEAKER said: The hon. Member, having moved an Amendment, has exhausted his right to address the House.

Mr. HEALY desired to say a few words in support of the proposition. It was a matter upon which they all felt deeply. He was sorry that hon. Members were impatient. If the House at the present moment were groaning under the infliction of Irish grievances, it must be remembered that what they were having now was only a very small instalment of the grievances from which Ireland was suffering. ["Question!"] He thought this was the Question. With regard to the appointment of county officials, he held in his hand a Return of the magistrates and officials in the county which he represented — Wexford. A similar Return was asked for from the Government some weeks ago; but the Government refused to grant it, and the consequence was that the Irish Members had been obliged to pay out of their own pockets the expense of procuring the information which it was the duty of the Government to supply to them as Members of that House. He presumed that, in reality, Her Majesty's Ministers were anxious to suppress the facts. The Return for Wexford contained the names of the Lord Lieutenant, the Deputy Lieutenant, the Clerk of the Crown, the Clerk of the Peace, the Crown Solicitor, the resident magistrates, and the petty sessions clerks. It also showed their profession and occupation, whether they were landlords, their religion, whether resident or not, together with observations upon each case. It showed that, although the population of Wexford was overwhelmingly Roman Catholic, out of the entire number of magistrates only one-fourth were of the religion of the great majority of the people, the remaining three-fourths being of the religion of the minority. That was the case in regard to the Wexford magistrates. But the Resolution went further, and dealt with the whole body of officials in Ireland. The hon. and learned Member for Dundalk (Mr. C. Russell) said the Lord Chancellor was unable to remedy this state of things, because he was required to make the appointments upon the recommendation of the Lord Lieutenant. That was quite true, and they saw the result in such counties as Donegal, where the Lord Lieutenant, who was the father of several noble Lords in that House—the Duke of Abercorn—would never appoint anybody who was not a Tory; and it was futile for anybody but a Tory to offer his services. For his own part, he failed to see why the appointment of Lord Lieutenant should be a political appointment, and he should be glad to see a Bill brought in to abolish the present system and enable popular Lords Lieutenant to be appointed, who would see that justice was properly administered. It was no answer to say that the Lord Chancellor could not interfere. If the Lord Lieutenant made appointments that were objectionable, they should not receive the sanction of the Lord Chancellor. The grievance with regard to the magistrates was not confined to the magisterial Bench, but it extended throughout the whole of the local government of Ireland. The magistrates had complete sway over all the local bodies. They had the control of the Grand Jury, of the Poor Law Board, and of the Bench; and as those were the only three channels for the administration of justice in Ireland, it would be seen that the grievance was not a sentimental one. There was not merely a difference of religion between the magistrates and the bulk of the people, but an entire difference of feeling. They formed two separate and distinct classes. He had known the Grand Jury to be composed entirely of magistrates; and by Act of Parliament one-half of the Poor Law Boards were composed of magistrates. The larger the number of the magistrates the heavier was the taxation imposed. The collector of county cess in Ireland was allowed 8*d.* in the pound, while the poor rate collector was only allowed 6*d.*; so that the man who collected for the Grand Jury, who were all magistrates, received 2*d.* in the pound more than the man who collected for the Poor Law Boards, in which there was something in the shape of popular representation. The Grand

Jury always gave the collectorship of the county cess to one of their own friends, who was enabled to pocket an extra 2*d*., notwithstanding the distressed condition of the country. He thought this was a substantial grievance, and that if the Government were in earnest in desiring to remove the evils of Ireland they could easily get rid of it. Then, again, with regard to the petty sessions clerks, it was a constant matter of complaint that the petty sessions clerks practically ruled the roast, and that the magistrates were completely under their thumb. They were invariably opposed to the people, and he had known one of them declare that the law was so-and-so, and hand to the magistrates, by way of confirmation, an open Bible instead of an Act of Parliament, trusting to the ignorance of the persons he was dealing with not to discover the fraud. The magistrate connived at the imposture, and inflicted a fine of 20*s*. and costs. That was the way in which justice was administered in Ireland under the rule of the petty sessions clerks. The Clerk of the Crown, the Crown Solicitor, the Clerk of the Peace, and, indeed, the whole of the Irish county officials, were under the direct control of the system of landlordism, and not one of them possessed the confidence of the Irish people. In a very recent case a magistrate, writing to the parish priest, advised him to use his influence with the tenants in inducing them to hand in their rents, significantly hinting that at the present moment he had no wish to put in force "the infamous law of coercion" that was about to be carried out. The hon. Member for Ennis (Mr. Finigan) referred to a certain noble Lord—Lord Berehaven—who was an Irish magistrate. This noble Lord twice enlisted as a private in the Guards, and he sat upon the Bench which sent him (Mr. Healy) for trial under an obsolete statute. ["Hear, hear!"] He did not envy the state of the minds of hon. Members who could cheer such a travesty of the administration of justice. The landlord system was in existence, and they did not know how to get rid of it. A little common sense was wanted. A few months ago the magistrates were officially instructed how to use the Whiteboy Act; but it might be of some use now to issue a Circular instructing them to use a little common sense. He was very glad the House had afforded hon. Members from Ireland an opportunity of discussing and ventilating this subject, for he was sure this debate would have done some good in Ireland. He had been happy to recognize the speech of the Attorney General as one delivered in something like tolerable language. The hon. and learned Gentleman had made his observations as mild as he possibly could for the Irish Members, and there could be no doubt that the tone of this Government official would have a good effect, and that the lesson would not be lost on the magistrates. No doubt, some hon. Members would go away with the idea that they had lost another day; but this was not a feeling with which he concurred. What had occurred to-night would be read in every village in Ireland. [*Cries of* "Divide!"] Hon. Members received the speeches of Irish Members with the usual jeers and scoffs; but the people of Ireland would read what had been said, and it would have a sedative effect on their minds. The observations of the Legal Advisers of the Crown would go as a message of peace to Ireland, and would have a good effect on the Irish magistrates themselves. Hon. Members knew how sluggish were the ordinary channels of information in Ireland—how, in some places, the people were 50 or 60 miles from a railway, and consequently did not get a newspaper, perhaps, more than once a-week; but in time they would read accounts of what had taken place to-night, they would see how the conduct of the magistrates had been brought before the highest Assembly in the United Kingdom, and how the magistrates had been mentioned by name. They would learn at length that Mr. So-and-so was not the highest individual on earth, and entitled to the highest consideration and reverence, and they would take heart. However English Members might go away with the feeling that they had lost an evening, he should not do so; but, on the contrary, should leave firmly convinced that they had had a useful discussion, and had done well.

MR. W. H. JAMES said, the Motion which had been brought forward was one for which, on its merits, a good deal might be said. The fees paid for the administration of justice should be in accordance with the number of convictions obtained; but he did not think he should be doing his duty as an independent supporter of the Government if he did not raise an humble protest against the proceedings of the evening. He did not for a moment dispute that hon. Gentlemen who had raised this discussion were technically within their right; but the Secretary of State for War came down to make a most important Statement to the House this evening—one of the most important yearly statements made by Ministers—and one which he was sure he was was not exaggerating the feelings of hon. Members when he said was looked upon at the present moment as of unusual importance. Several hon. Members, in harmony with the feelings he entertained on this subject, had declined to go on with the Motions they had on the Paper; but hon. Gentlemen who sat on the opposite Benches, not satisfied with having up to this time monopolized the whole of the Session, had thought it expedient—no doubt, within their right—to proceed with their Motions, and had occupied six and a-half hours of the time of the House this evening. He protested againt such a proceeding, as damaging to Parliament and the English Members.

Mr. ARTHUR O'CONNOR said, he should not have addressed the House if it had not been for the observations of the hon. Member who had just spoken. He (Mr. Arthur O'Connor) felt the deepest interest—in fact, he was as much interested as any other hon. Member—in the Statement the Secretary of State for War was to have made tonight; and he had waited until now in the hope that even at this late period the right hon. Gentleman might have been enabled to bring forward the Statement. The observations of the hon. Member who had just sat down implied —as, no doubt, it was the hon. Gentleman's intention to imply—that the conduct of the Irish Members was dictated by a wish rather to embarrass the interests of the Government than to advance in any degree the genuine interests of Ireland. But anyone who knew the genuine interests of Ireland, and considered for a moment the character of the grievances put forward to-night, and compared them in importance with the Statement the right hon. Gentleman was expected to make, would admit that, however important that Statement might appear to Members of the House generally, to the Irish Members the redress of the grievances of their country was far more important. The Irish Members had seized this, the first opportunity, of presenting their grievance in its nakedness and strength—because they felt the importance of presenting a grievance in this way, they could not allow the evening to pass without availing themselves of an opportunity which might not again occur for a long time.

Mr. SEXTON also felt bound to say that the Irish Members had been justified in the course they had adopted. [*Cries of* "Divide!"] His observations would not be in the least shortened by interruptions of this kind. He joined in protesting against the observations of the hon. Member opposite (Mr. W. H. James). On the Question before the House, he himself might have had some observations to make, because the county he represented, as well as others, suffered in consequence of the maladministration of the law by the magistrates; but he rose now merely for the purpose of saying that, to his mind, it was the duty of the Irish Members to take the first opportunity that offered to bring this subject before the House, the Government now having acquired almost the uncontrolled settlement of the Order of Business. In the course of a day or two an Act was to come into force, practically giving the Irish magistrates certain powers over the liberties, and perhaps the lives, of the Irish people; and his hon. Friends around him would not have been doing their duty to their fellow-subjects if they had not availed themselves of the opportunity of bringing on this discussion, particularly as it might be weeks, and perhaps months, before another opportunity presented itself. The liberties of the Irish people were of as much importance as any scheme of Army Reform.

Main Question put, and *agreed to.*

Supply *considered* in Committee; Committee report Progress; to sit again upon *Wednesday.*

MARRIAGES REGISTRATION BILL.

On Motion of Mr. Blennerhassett, Bill to alter and amend the Law relating to the Registration of Marriages, *ordered* to be brought in by Mr. Blennerhassett, Mr. Arnold Morley, and Mr. Errington.

Bill *presented,* and read the first time. [Bill 97.]

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Tuesday, 1*st March*, 1881.

MINUTES.]—PUBLIC BILLS—*Second Reading—Committee negatived*—Protection of Person and Property (Ireland) (40).
Committee—Local Taxation Returns (Scotland) * (37).

AFGHANISTAN (MILITARY OCCUPATION).—QUESTION.

THE MARQUESS OF **LANSDOWNE** asked the Under Secretary of State for India, Whether, in the event of the Government determining to withdraw the troops now occupying Candahar, a force would be retained at Pishin; and, whether he would state, before the debate on the noble Earl's Motion (the Earl of Lytton), whether it was intended to continue to occupy Quettah by British troops?

VISCOUNT **ENFIELD**: It is the wish and intention of Her Majesty's Government that the troops should be withdrawn from Pishin as well as from Candahar; but with regard to Pishin, communications have been made to the Government of India authorizing them to use their discretion with respect to the time when such withdrawal shall take place, and this subject is now under the consideration of the Government in India. With respect to Quettah, which is not in Afghanistan, and which stands on a different footing, there is no intention to make any change in its occupation by British troops.

ARMY—THE QUEEN'S REGULATIONS—PUBLICATIONS BY OFFICERS.

QUESTION. OBSERVATIONS.

LORD **DORCHESTER** asked the Under Secretary of State for War, Whether the following paragraph still appeared in the Queen's Regulations and Orders for the Army:—

> "Furthermore, officers and soldiers are forbidden to give publicity to their individual opinions in any manner tending to prejudge questions that may at the time be undergoing investigation by the military authorities."

A paper, he explained, had recently appeared in *The Nineteenth Century*, criticizing the condition of non-commissioned officers and of the Army generally. In the article to which he referred, the gallant author (Sir Garnet Wolseley), who described the officers as affected with a

> "Military disease of chronic grumbling and whining pessimism—the same yesterday, to-day, and will be so for ever,"

said that non-commissioned officers were very badly remunerated, and were not provided with as good accommodation as they deserved. For his part, he believed that the condition of non-commissioned officers had been materially improved of late years. He did not wish to disparage the military merit of the gallant author of the article in question; but he could not refrain from expressing the opinion that had that article been written by an officer of low rank it would have been very severely commented on.

THE EARL OF **MORLEY**, in reply, said, that a similar Question had been asked in "another place." He could only say that the Regulation quoted by the noble Lord had for many years been honoured more in the breach than in the observance. There was no doubt that it had been the habit of officers to discuss, both in speeches and in writing, a great many important questions connected with the organization of the Army; but the Secretary of State for War did not intend to take notice of the article referred to, or of similar articles, at the present time.

SOUTH AFRICA — THE TRANSVAAL (MILITARY OPERATIONS) — DEFEAT OF THE BRITISH FORCES.

QUESTION.

EARL **CADOGAN** asked the Secretary of State for the Colonies, Whether any fresh information had been received by the Government from South Africa?

THE EARL OF **KIMBERLEY**: In answer to the Question which has been put to me by the noble Earl, I will read the two latest telegrams which we have received. The first is from Brigadier General Wood, and is dated March 1. It is as follows:—

> "Estcourt, 8 35 a.m.
>
> "I hope that loss was exaggerated in first news from front. Road is open to Newcastle. Fraser, Royal Engineers, walked into Camp Prospect at 4 a.m."

The other is from Assistant Adjutant General Wavell, and is dated Pietermaritzburg, March 1, 1881, and is in these words—

> "Officer Commanding Mount Prospect reports Fraser arrived this morning not wounded. Surgeon-Major Cornish wounded. Surgeon Landon and Lieutenant Trower, R.N., dead. No news yet of Lieutenant-Colonel Stewart."

I am glad to say that we have just received news that Lieutenant Colonel Stewart is among the prisoners and not wounded, and that the body of the late Sir George Colley has been brought into camp. The officer commanding at Mount Prospect reports (just received)—

> "Total engaged, 35 officers, 693 men. Casualties.—Officers—killed, 3; wounded, 9; prisoners, 7; missing, 1—20. Non-commissioned officers and men—killed, 82; wounded, 122; prisoners, 50; missing, 12—266."

The loss is, therefore, not quite so large as we were at first led to suppose. My Lords, I promised yesterday that I would inform the House of the arrangements made in consequence of this disaster. In the first place, your Lordships are aware that Sir Frederick Roberts has been appointed Commander of the troops. He will also hold the offices held by the late Sir George Colley—that is, Governor of Natal, Governor of the Transvaal, and High Commissioner of South-East Africa. It is advisable, as your Lordships will see, that these appointments should be held in conjunction, because it is necessary that all the civil and military authority should be concentrated in one person. I observe that it has been stated in some quarters that Sir Hercules Robinson's commission as High Commissioner over all the Colonies was revived on the death of Sir George Colley. That is the fact; but we are of opinion that, in present circumstances, it is out of the question that he should continue to act for all the Colonies. I may mention that, at the present moment, Sir Evelyn Wood is Commander of the troops and temporary Governor of Natal; and Mr. Mitchell, Colonial Secretary, acts as Deputy Governor. I will now state the arrangements which we have made in consequence of the lamented death of Sir George Colley, and the force which is to be sent out. Orders have been issued that six Infantry regiments shall proceed to Natal. Two regiments of Cavalry are prepared to be sent out, and Sir Evelyn Wood has been asked whether he would have the means of supporting another Cavalry regiment, and whether he desires another regiment to be despatched. He has been further asked whether he desires transport animals, such as mules. These communications have all been made after consultation with Sir Frederick Roberts, and in accordance with his opinion. He himself is also in communication with Sir Evelyn Wood, and all the force I have mentioned will be very shortly in the Colony. I should also mention that drafts to the extent of 1,500 men have been ordered to fill up the regiments already abroad, and that the men of the Reserve will at once be asked to volunteer for the regiments going out, without any preference being given as between those men who are of six and seven years' service. My right hon. Friend the Secretary of State for War has reason to believe that the Reserve men will answer the call in a very satisfactory manner. One observation, my Lords, I wish to add before I sit down. I am sure your Lordships must have seen, with the greatest interest, the admirable accounts which have appeared in the newspapers from the Correspondents and others on the spot. They are of invaluable service, and we all must admire the courage and intelligence with which these gentlemen discharge their duty; but I hope I shall not be misunderstood if I take this opportunity of appealing to them to be extremely careful, while they give us all the information as to what takes place, not to communicate any information in regard to future movements which may be of advantage to our opponents. In the present condition of rapid communication everything can be known in South Africa in the course of a few hours. I am sure, my Lords, we may rely upon these gentlemen to exercise a wise discretion in the matter.

THE DUKE OF CAMBRIDGE: My Lords, I may be allowed strongly to express the same opinion. I think, while the public are informed by those gentlemen, who have shown the greatest amount of talent in their vocation, that their communications should be limited to what actually takes place. It would be most serious if they gave—I am sure it would be given unintentionally—any information as to what is to be done, seeing that such intelligence may be made known in the Colony in a few hours. That information should be only within our own knowledge and the knowledge of our officers. Therefore, while we admire the manner in which those gentlemen perform their duties, I do appeal to their patriotism and good feeling towards their own country to be extremely careful in their communications, and to give no information which may be of harm to us. My Lords, I think that the selection of Sir Frederick Roberts for the chief command in South Africa, in succession to Sir George Colley, is a most excellent one. With regard to the late Sir George Colley, I am sure there is no one in this House who does not appreciate his gallantry, and who does not feel that his loss is a serious one. I shall make no observations as to how this unfortunate disaster occurred; they would be here quite out of place.

EARL CADOGAN asked, was it to be understood that Sir Hercules Robinson now filled the office of High Commissioner in South-East Africa, as well as his present position?

THE EARL OF KIMBERLEY replied, that until General Roberts arrived he would hold that position.

PROTECTION OF PERSON AND PROPERTY (IRELAND) BILL.—(No. 40.)

(*The Lord President.*)

SECOND READING.

Order of the Day for the Second Reading, read.

EARL SPENCER, in moving that the Bill be now read a second time, said: My Lords, it is my duty to call your Lordships' attention to a subject nearer home than that which has just been occupying your Lordships. It is my duty to propose to your Lordships to read a second time the Bill for the Protection of Person and Property in Ireland. My Lords, I feel that I must ask your Lordships' kind indulgence, because I feel that I have very little, if anything, that is new to tell your Lordships. During the last few months the attention of the country has been greatly absorbed by the condition of Ireland, and since the meeting of Parliament there have been almost continuous debates on the subject in another Assembly—debates which, I think, will be memorable in the history of Parliament. It will be my duty to give your Lordships the reasons which have induced Her Majesty's Government to ask that so stringent a measure as this should be applied to one part of Her Majesty's Dominions. My Lords, the Bill which I have in my hand is one which touches one of the most cherished liberties enjoyed by the subjects of the Queen. That liberty cannot be touched lightly by any Government or Minister, and Parliament has always refused to take any such measure into its consideration except under circumstances of the greatest necessity or in cases of supreme danger to the State. My Lords, I think it was Lord Macaulay who very eloquently said, in speaking of the Habeas Corpus Act, that it was one of those bulwarks of freedom bravely and successfully won by the struggles of our ancestors, for which Sovereigns had been deposed and dynasties changed, and for which a noble army of martyrs had shed their blood. Those are eloquent words, and I feel that we must not on any occasion attempt to touch this liberty unless we can prove an overwhelming case—prove not only the necessity of legislation of this stringent character, but also that such legislation is likely to lead to successful results. My Lords, I am afraid that I shall be able, in the remarks which I shall address your Lordships, abundantly to show that necessity. I must go back a short time to describe the condition of Ireland. During the few years ending in 1879 there was great agricultural depression over all the Kingdom. That agricultural depression was felt in Ireland as well as in Scotland and in England. For two or three years that depression was felt severely and culminated in the year 1879. It was more felt in the Western parts of Ireland than in the rest of the country. In the West of Ireland will be found the smallest holdings, on which, even in times of prosperity, it is difficult for the people to maintain themselves. One source of income failed. As your Lordships are aware, many of the peasantry of the West of Ireland come to this country to reap the harvest; but this source of income was not forthcoming. This deficiency, then, has to be added to the bad harvest, and on occasions of that sort those holdings are utterly unable to support the population. The people who live in those holdings are the people on whom agitators operate; and it is in this state of affairs that an organization was formed in Ireland which has had a great and pernicious effect over the whole country. That organization, which, I believe, was instituted in 1879, gradually acquired influence over various parts of the country. I shall not detain your Lordships by showing the progress that Association made; these facts are sufficiently known. I think I can show that this organization has greatly tended to bring about that condition of disorder in Ireland which we all so much deplore. That Association, whatever its original object, has at different times, through those who belong to it, openly advocated the uprootal of landlordism in Ireland. It went much further, and proclaimed sedition and rebellion in Ireland. I do not say for a moment that there were some men who began this agitation who were not earnest in their views, and who did not believe there was some great evil which they had to remedy; but I fear a great number of them used the depressed state of agriculture to foment political agitation and promote their own selfish ends. Well, my Lords, if we look at the state of crime in Ireland, we find that it lamentably increased during the agitation. In 1878, agrarian crime, exclusive of threatening letters, amounted to 176; whereas in 1879 there were 390 cases. But even that does not show how rapidly crime has increased; for if we take the last quarter of that year, we find that the average for that quarter was greatly in excess of what it was in the corresponding period in 1878. Agrarian crimes continued in very formidable numbers during the early part of 1880; but by the end of that year they numbered 1,253 outrages, exclusive of threatening letters. I am not, in excluding threatening letters, for one moment saying that this is not a very formidable offence, and one which ought to be watched with very great care. There is no doubt that threatening letters are an indication of the condition of the country, and tend very greatly to increase the terror which other crimes create in that country. But in some of these Returns it is convenient, for the sake of comparison, to leave out the threatening letters, which swell, to a great extent, the number of agrarian crimes. The increase, however, irrespective of this class of offence, is a very large one; and if we compare it with former periods, we shall find that it is very serious indeed. I find that there were 417 more outrages of an agrarian character in 1880 than in 1870, which was, as your Lordships may remember, a year of much agrarian disturbance in Ireland. If we go back still further, the agrarian crimes in 1880 were 303 more than in 1845. When you remember that the population in 1845 was 8,250,000, and in 1880 5,250,000, and that the police had been increased from 13 per 10,000 of the population to 21 per 10,000 in the years between, you will find that a very formidable state of things has been brought about. I will show your Lordships that homicide and firing at the person reached a very serious figure in 1880; but that is the only point in which crime has not increased quite so rapidly as in the case of crime against property. Other crime — the maiming of cattle, has increased to 101 in 1880; the next highest year recorded was in 1845, when this crime numbered 87. Of incendiary fires and arson, the number in 1880 was 210; whereas the yearly average for 20 years down to 1878 inclusive was 32¼. This was a crime which carried great terror with it, and the total in 1880 exceeded every year since 1845. Then, firing into dwellings. Last year the number of offences was 67; the highest since 1844 was the year 1845, when the number of offences was 55; and the average for 20 years was 5·7. To add to the force of these figures, I should add that there have been, during the period to which I refer, a large number of persons who have been protected by the police. On the 1st of January last there were 153 persons under police protection—that is, having two policemen continually attending upon them to protect their lives; and besides that, there were 1,149 persons who were more or less under the supervision of the police. In 1870, I find that only 23 persons were similarly protected. That shows that the police have been enabled, by their exertions and their information, to prevent an extension of crime, which would have made it even more serious than the figures I have given your Lordships. I do not want to trouble your Lordships at any great length; but I am desirous of showing how these outrages and this intimidation are directed. They are directed against landlords, agents, and servants in every class of life, and against animals. I regret to say that the outrages, though they have diminished, are still going on. I have in my hand a copy of a telegram received this afternoon from Dublin Castle, which gives an account of a typical outrage—

"Yesterday afternoon, at 3 o'clock, as Mr. John Hearne, clerk of Ballinrobe Petty Sessions, county Mayo, was returning home after Court, he was fired at on the public road by two young men, who came behind him with revolvers. At least six shots were fired, there being four wounds on his body and two on his right hand; it is feared one will prove mortal. So close were the assailants in making the attack, that the discharge burned Mr. Hearne's coat, and he struck one of them with his walking-stick. The outrage is believed to be, without doubt, agrarian. Mr. Hearne had received a threatening letter in November last. He is agent to a small property of Mr. De Montmorency, from which three tenants were evicted in May last for non-payment of rent, two of whom have since been reinstated. No arrests."

That is one case. Here is another—

"At about a quarter past 7 p.m., from 50 to 70 shots were fired at the house of a national school teacher by an unknown party of men. There were two policemen protecting him, and they were in the house at the time. They fired 23 shots in the direction of the attacking party, but, as far as can be ascertained, without effect. Neither the schoolmaster nor the police were injured. The police are of opinion that there were from 10 to 15 men firing. There was a bank about 150 yards from the house, and this had been used by the attacking party as a cover. There were marks of two shots upon the house, and a third entered the kitchen, passing through the open door. Four empty Snider cartridge cases were found. In September, 1880, he summoned the chairman of the Tulla branch of the Land League to Petty Sessions. Since that time he has been very unpopular, and the children, with the exception of five, have been removed from the school. He is a native of the North of Ireland, and is regarded by the people as a Government spy."

Now I come to another kind of outrage. I shall read the Report of the Sub-Inspector. The Report is dated February 5, 1881:—

"I have to report that on the 3rd instant, ————, publican, of this town, missed five bullocks off his farm at ————, valued at £12 each; and as all attempts to find them on his part failed, he swore an information this day that 'the animals were taken to a distance and destroyed.' He intends seeking for compensation for £60. The police also failed to get the slightest trace of the animals; but I am of opinion that they will turn up yet. ——— believes they have been done away with by the Land Leaguers of ————, who are very opposed to him since September last, when he took a grazing farm from Mrs. ———. This man was very strongly alluded to at a Land League meeting at ———— on the 7th of November last. Since then ——— believes he is a marked man in the country, and that efforts were made to 'Boycott' him as to his business; this, however, failed. I report this on outrage form, as ——— swore the cattle, he believed, were not stolen but destroyed."

The next Report is as follows, dated February 11—

"With reference to my Report of the 5th instant, I have to state that four of the five missing bullocks, the property of ————, of ————, were this day found drowned in a dangerous hole, called ———, in the townland of ————, one mile from ——'s farm. Two of the animals were tied together, and had heavy stones tied to their necks; the other two also had weights fastened to them. The fifth bullock was found alive on the same farm. This outrage, it is evident, has been done by the Land Leaguers of ————, who have been most determined in their hostility to ——— since the ———— Land League meeting, and ——— secretly got information that his property would be destroyed and that he would be made a bankrupt of by 'Boycotting.' —— does not suspect anyone in particular; but believes the outrage was got up and carried out by eight certain Land Leaguers of ————, and the local police are of the same opinion. Every step will be taken to throw light on this outrage."

These are typical instances of outrages which have been committed in certain parts of Ireland. The operations of those who break the law are not confined to the present. In the year 1851 a man named Long, a tenant of Major Armstrong, of Holy Cross, County Tipperary, owed £235 rent. He surrendered this farm, having another about 10 miles distant. He was forgiven the £235 and allowed to take the crops. Major Armstrong, and after his death his widow, used to let this as a grazing farm. Long died about nine years ago. In 1880, 29 years after the surrender of the farm, at a meeting of the Holy Cross branch of the Irish National Land League, held on the 30th of December, Mr. Stephen Butler in the chair, the following resolution was passed—

"That we, the Committee of the Holy Cross branch of the Irish National Land League, do look upon all parties who propose for or take grass upon the farm belonging to the late Michael Long, of The Grove, is a traitor to the country, inasmuch as a daughter of the said Michael Long is anxious to come into the possession of her father's place."

The place was in the charge of Ryan, a caretaker. Crowds of people, some of them on horseback, proceeded towards the place of Ryan, the caretaker. Two vans arrived, accompanied by people carrying banners and wearing sashes and rosettes. He saw what appeared to be whisky being distributed among the crowd. They forcibly entered the demesne, shouting and with bands playing. The crowd shouted and rioted, and then the main portion went to Farney Castle, and shouted and made a noise at the gate, so that the people inside could hear them. Their object was to terrify Mrs. Armstrong into abject submission to the decree of the Holy Cross Land League, in execution of the "unwritten code of law." The prisoners were committed for trial for taking part in an unlawful assembly. The magistrates refused bail, and an application to the Queen's Bench was refused. This was a proposal to go back 30 years to reinstate a tenant's relative. I think the facts as to outrages which I have given your Lordships are sufficient to prove that a reign of terror has been established in the country which has defied all the efforts of the Government to put it down. But that is not all that the Land League have done. They have proceeded by other means to terrorize the loyal subjects of the Queen. They have established publicly—in former days the same mode of proceeding was only advocated privately—a system of social ostracism, which has contributed, to a great extent, to terrorize the population. The speeches delivered by members of the Land League fully bear out this assertion. In a speech made some time ago by a leading member of the Land League, he said—

> "If perchance any man among you should so forget himself as to go and bid for the holding of his neighbour or take possession of it, if any one among you should do it, I will tell you how I wish to see you treat him. I do not want you to commit a breach of the law by assaulting him or hurting him. By that means you rather serve the cause of your enemy than your own cause. I want you to bring down the force of public opinion upon him. If you see him at church or chapel, fair or market, pass him, hate him; let him be a thing of loathing, a leper so unclean as not to be fit to be touched or associated with by any of his fellow-men. If he has cattle to sell, let no man bid for them; or cattle to buy, tell the unclean wretch to move away from you. (Laughter.) If he has potatoes to dig, or stubble to dig, or corn to cut, or anything else, let him go out and do it himself. (Laughter.) If he has a shop and offers goods for sale, let no man who has respect for God or country leave a penny in the house. (Cheers and laughter.) Let him eat his stock-in-trade. When that is done, let him go away. (Laughter.) By these means you will do infinitely more good than if you went out and committed a breach of the law and took his life."

That is the kind of advice which was given by speakers at Land League meetings. Certainly some of those speakers professed that the law was to be respected. But when speeches of an inflammatory nature are made to a very excitable people, on a subject on which their passions are always very easily aroused—namely, on that most cherished object of all Irish farmers, the possession of their land—I leave it to your Lordships to suppose what the result of such teaching will be. Not only have outrages, as was well said "elsewhere," dogged the steps of the Land League meetings, but the system which is called "Boycotting" has prevailed and had extensive influence in the country. This is what I find in a Charge of Mr. Justice Fitzgerald. He quotes from a newspaper, *The Nation*, on October 16, describing what has taken place in different districts. He said—

> "*The Nation* of that date says.—'The work of socially excommunicating persons who take evicted tenants' farms is being carried on with great thoroughness and success in various parts of the country. Thus, in Limerick a few days ago, a farmer who had sinned in the way referred to offered for sale in the market some butter and oats; but both merchants and brokers refused to transact any business with him. The consequence was that he had to bring his produce home, and on leaving the market he was groaned at and hooted by a large crowd of farmers. We believe it is the same farmer who went to buy some bacon in Limerick, and when he told his name failed to induce the bacon merchants to sell him anything whatever. In Clare, again, a farmer has been made for the same causes such an outcast among his neighbours, they refusing to hold any intercourse with him or sell him the necessaries of life, and even going so far as to keep him out of the parish chapel on Sundays, that he has found his new position intolerable, and surrendered to the landlord the banned farm on which he cast his eyes in an unhappy moment.'"

That is the result, as stated in one of the Irish papers, of the teaching of the Land League. Now, I think I ought to show your Lordships that besides this large amount of crime existing in the country the law has broken down in dealing with it. I am afraid that the same terrorism exercised in the way described in the extracts which I have read has been exercised towards witnesses and juries, so as to render it very difficult to obtain evidence in regard to agrarian crimes, and the difficulty of procuring convictions by juries for those offences is enormous. Out of the whole number of agrarian outrages committed in 1880—namely, 2,305, only 83 convictions were obtained, or rather less than 4 per cent. Only 295 were made amenable by the police, or a little more than 12 per cent. If you look at the non-agrarian crime the state of things is not so formidable. I draw attention to it to show how much directed against the land this particular movement has been. Out of the total number of non-agrarian offences, 3,084, as many as 1,425, or nearly 50 per cent, were made amenable; while the number of convictions was 694, or about 25 per cent. At Waterford the Judge was obliged to postpone one very important trial, connected with the most brutal murder of Mr. Boyd, on account of the jurors not attending. At the close of the Munster Winter Assizes at Cork, speaking on the 21st December, 1880, Mr. Justice Fitzgerald said—

> "I cannot shut my eyes to the fact that there have been considerable failures of justice, and failures of justice which I do not hesitate to say have been produced by external influences operating upon some of the jurors. . . . No person of sense could fail to see that there were powerful influences operating upon the minds of jurors, preventing them from performing their duties."

That shows how the course of justice has been impeded, and, in fact, paralyzed, by the terrorism which has prevailed in various parts of the country. I have referred to the Judges, and I hold here a very interesting letter, which was written by one of the County Court Judges of a district in Ireland, and which, I think, illustrates very forcibly how completely the law has been paralyzed. The learned Chairman says—

> " . . . The number of civil cases was the smallest ever known, not amounting nearly to half the average. This was accounted for by the statement that a decree of the Court is quite useless and unproductive. I had, in nearly 20 cases of ordinary civil bills, not ejectments, to make orders that posting copies in the nearest market town to the residences of the defendants should be deemed good service, as it was proved on oath to my satisfaction that the process officers could not attempt to serve the processes without risk of personal injury. A process officer who did not attend the Court at the beginning of the Sessions explained his absence by stating on oath that in serving processes he was so badly beaten that he was unable to come. I had to excuse two jurors who were summoned to attend the Quarter Sessions, and who did not attend on the ground that they could not with safety leave their houses, and one of them sent me a copy of a notice alleged by him to have been posted, warning the public not to give him accommodation in any town of the county. . . . These several facts will prepare you for my opinion that in the present state of the county, particularly in the southern portion, the jurisdiction of my Court is paralyzed."

That, my Lords, was the state of the law in various parts of the country, and I regret to say that there is another law—that of the Land Courts established by the Land League—which has been much more respected. The Land League Courts, set up in different districts, have administered their own unwritten law with all the power with which the law of the Realm is administered in this country. I need not detain your Lordships by describing at length any of the proceedings of these Land Courts—they are, no doubt, familiar to you all. We hope, my Lords, by this Bill, to put down the village tyrants and dissolute ruffians who carry out that unwritten law, and we hope to bring back obedience to, and the execution of, the law of the land. I think I have now sufficiently shown your Lordships to what an enormous extent crime has increased in Ireland; how crime and terror prevail in a large portion of the country. I can show further that the Irish Government have done all that they could do to carry out the law with their existing powers. They have increased the military force, they have increased the police in the various districts, and they have left no stone unturned to put the ordinary law into vigorous operation. But these measures have all failed, and Her Majesty's Government now think it their duty to come to Parliament and ask for additional powers to restore law and order in Ireland. My Lords, this Bill is a very short one. It proposes to give the Lord Lieutenant of Ireland the power to proclaim certain districts of the country. In those districts he will be able, by his warrant, to arrest any person whom he may reasonably suspect of being concerned, either as a principal or as an accessory, in any crime punishable by law which has been committed at any time after the 30th day of September last, being an act of violence or of intimidation, or an incitement to an act of violence or intimidation. I have seen it stated in various places that when the Habeas Corpus Act was suspended before in Ireland agrarian crime was not suppressed. That is perfectly true. It was only on one occasion that this power to deal with any crime but that of treason was given. That was in 1871. In that year an Act was passed which enabled the Lord Lieutenant to arrest anybody belonging to a Ribbon Society, or aiding a Ribbon Society in one county and parts of other counties in Ireland. I do not wish to dwell on this subject. I was Lord Lieutenant and had to put this power in force. It was not an easy task. But that Act was completely successful at the time. I believe that a marked diminution of agrarian crimes resulted from the enforcement of the Act. At the present time the case is very much more difficult; but I feel sure that the Lord Lieutenant and his Adviser the Chief Secretary will conduct the arduous responsibility which the Act will place on them with perfect firmness, justice, and, I trust, success. Then there is a greater power given under the Act—namely, that of issuing warrants against those reasonably suspected of being guilty, either as principal or accessory, of high treason, treason-felony, or treasonable practices. Your Lordships will not expect me to go at great length into the evidence which has made it necessary for Her Majesty's Government to propose this stringent power. I ask your Lordships to place confidence in Her Majesty's Government that this power at the present moment is necessary. I do not for a moment want your Lordships to suppose that Her Majesty's Government think that a rebellion is coming in Ireland. We do not think that to be the case; but though there is no present danger, there may be great danger hanging over us at no distant time. We know that at this moment in America the Irish Press is publishing most violent denunciations of this country, and is stimulating the feeling of the people of Ireland, not only to rebellion, but also to assassination and outrages of the worst kind. We think, therefore, that the Government should, under the circumstances, take precautions to defend the country from such danger, and it is with that object that such stringent power is introduced into the measure. I apologize to your Lordships for having detained you so long. I hope I have shown that we have not asked your Lordships lightly to pass this stringent measure. I believe that we have abundant proof of necessity for it. We have been told that by introducing this measure we are sacrificing the principles of the Party to which we belong. I do not think that we are in any way sacrificing liberty in proposing this measure. I do not think that there is real liberty when you see an unauthorized society having nearly the same power as the law of this country in Ireland. I do not think it liberty when we hear of people being compelled to subscribe to the funds of the association. I do not think it liberty when no one can go to bed and rest in safety with his family in Ireland, or walk abroad along Her Majesty's highways with safety. That I do not call liberty; I call it rather despotism, and Her Majesty's Government introduced this measure to put down such despotism. They hoped by this measure to restore true liberty and freedom of action to all the subjects of Her Majesty in Ireland. My Lords, this is the first duty of the Government. We have a very painful sense of the task before us; but, having accomplished it, we shall propose measures which we trust will remedy certain great matters of injustice in Ireland; and, if we succeed in passing them, we hope, at no distant date, to see in Ireland, as we now see in Scotland and in England, law and order reigning in the country, supported and carried out by the united Irish nation.

Moved, "That the Bill be now read 2^a."—(*The Lord President.*)

The Earl of BEACONSFIELD: My Lords, I rise to support the second reading of the Bill which the noble Earl has just moved; but I do it with reluctance. I support the Bill because I think it is necessary—absolutely necessary—in the circumstances in which we find ourselves. But I confess that I cannot divest myself of some sense of shame that, in the 19th century, in the very heart of our Empire, in the United Kingdom itself, such scenes and circumstances should exist as justify—and not only justify and sanction, but render absolutely necessary—the measure which has been brought before your Lordships' attention. My Lords, this periodical disquietude in Ireland has been accounted for at various times by various causes. When I first entered public life, nearly half a century ago, there was then in Ireland great disquietude. We were then taught by great authorities that the cause of that disquietude was political, and that the only remedy for it would be to extend to a portion of the community in Ireland those civil privileges which were enjoyed by only a part of the population. Measures were brought forward and carried at the time which effected that great object. But the periodical disquietude of Ireland re-appeared in a few years in due course, and then we were told that the cause was not political, but ecclesiastical, and all the philosophers and politicians gave their energies and their minds to the consideration of new remedies. They commenced by abolishing tithes; they ended by abolishing the Church, which those tithes were destined and intended to support. And yet, my Lords, we find ourselves in the present situation, and neither of the causes alleged—political and ecclesiastical—appear to have been adequate, or to have been the real reason of this disquietude. Well, now, we are told that the cause is quite different. It is at last found out that the cause is agrarian, or even territorial; but, generally speaking, we are led to believe that the remedy which alone can remove for ever the discontent and uneasiness in Ireland is, in fact, to transfer the property of one class to another. Now, I should be very sorry, after such failure, even of the wisest and most experienced statesmen, to discover the main cause of this constantly recurring state of affairs in Ireland, to pretend for a moment to lay down dogmatically any opinion of what that cause must be; but I think it would not be presumption in me if I attempted on this occasion to indicate what I believe are the immediate causes which have produced the existing state of things—the disquietude, discontent, and outrage in Ireland—and which have caused the introduction of this measure by Her Majesty's Government. Well, I think there are three causes to which the present state of affairs is to be attributed. In the first place, no doubt, as the Lord President of the Council correctly intimated in his speech, there has been, and is to a certain extent, great suffering in Ireland from a series of bad harvests, and bad harvests in a country peculiarly dependent upon the harvest. There is no doubt of the distress of the country in that respect, and there is no doubt there has been great suffering. But Ireland has been visited by famine, and stricken by panic of coming famine before, and yet it has not resulted in the condition of outrage and lawlessness which it presents at this moment. The liberality of England, poured forth on all occasions with readiness, and the good nature of the Irish people themselves has so combined, that when a period of distress like that has occurred, means of alleviation adequate to the occasion have generally been found; and, so far as the present instance is concerned, when that distress first began greatly to pinch the people, I did not observe traces of organized disaffection, which subsequently manifested themselves. The Irish people, not deficient in sense, know very well that sterile harvests were not peculiar to Ireland during the last few years, and that they extended to all European countries, and even beyond the limits of Europe; and England, which was the one country which sympathized the most with Ireland, was, perhaps, the one which suffered the most from that calamity. Then, how is it that the present unfortunate state of things has been brought about in Ireland, when on former occasions it has been avoided? This brings me to the second point which I wish to advert to. It is most unfortunate that after a period of agricultural distress which has rarely been equalled—and probably its continuity has never been equalled—it is most unfortunate, I say, that at such a time the United Kingdom should have become the scene of a great Party struggle, which has not been paralleled for many years in the fierceness of the passions which it elicited and fostered. Those who appealed at such a time to the passions of the country felt that they were in a position of great advantage in appealing to a population that was suffering as the Irish were. Inflammatory orations were addressed to the Irish people; in point of fact, it was impressed upon them by accomplished orators, and by trained and skilled agitators, that the sterile harvests under which they suffered were in some degree connected with the existence of the late Government. One thing was quite clear, though others might be ambiguous, and that was the Opposition to the then Government were the only men who could bring forward remedies equal to the occasion which could rescue them from the fell consequences of those bad harvests. This style of oratory unfortunately brought about that which spreads like wildfire in Ireland—namely, an agitation of great fire and fierceness; and the most preposterous opinions were set afloat. Even in such circumstances I myself should not have despaired of the good sense of the country ultimately steering us through all these difficulties and dangers. But, unfortunately, the moment that there is in Ireland an organized agitation of considerable dimensions and promising great changes, and obviously offering the means by which considerable results might be obtained—the moment that occurs, we are under the influence of an organized conspiracy of foreigners, or men living in foreign countries, who immediately act upon the circumstances which are soon under their control, and place, no doubt, society in that part of the United Kingdom in considerable danger. I know it has been recently mentioned in "another place" that this is a great exaggeration, and that it is not the fact that there is any considerable power, or considerable resources, in a foreign country that acts upon Ireland at this moment, or, under similar circumstances, has acted at other times. I believe that Her Majesty's Ministers are perfectly aware of the truth of this business, and have wisely acted in asking for powers in that respect which the Lord President of the Council has stated that this Bill proposes. Those who have served Her Majesty when there have been troublous times in Ireland—especially of late years—know the truth of my assertion, and of the existence of a state of things which makes it absolutely necessary that Her Majesty's Government should possess the powers asked for, to defend Her Majesty, not from rebellious subjects, but from foreign conspirators who are constantly passing to and fro between the American Continent and these Islands, and whose efforts are unceasing, and whose resources are vast. Well, those are the three causes which, to my mind, have brought about the present state of affairs. Anything more distressing than the condition of Ireland it is not easy to conceive. The moment the people of Ireland are suffering they have remedies announced to them which amount, in fact, to the acquisition of the property of their neighbours, and they are bid to seize that property at once. The country is no longer safe when doctrines of that kind are taught, and when, the next step, no man is allowed to protect his property by lawful process without peril to his life. Then, when the greed for another's property attains its present dimensions in Ireland the foreigner appears, and the third influence appears; first, confiscation, then assassination, and then explosive patriotism of dynamite. That being the state of things in Ireland at the present moment, I cannot doubt the propriety of the course which Her Majesty's Government are now pursuing, and the wisdom of the measure which they have introduced to our notice. There are two things which I regret in this respect. I regret that so long a time has elapsed before Her Majesty's Government proposed a measure of this character to Parliament; and I regret that, having proposed it, so long a time has been wasted in "another place" in passing it before it could reach your Lordships' House. I am confident that your Lordships, in supporting this Bill, are supporting a measure which will command the sympathy of all loyal subjects of Her Majesty. I believe in its efficacy. I hope its provisions will be carried into effect with moderation and mercy, but that its powers may not be too quickly withdrawn; and I trust that the material condition of Ireland, improved by Providence, as I think we have a right to count on, with a continuance of good harvests, which have already commenced there, may become more satisfactory. I believe that, under those circumstances, the country will regain that quantity of common sense which is absolutely necessary to good government; and I trust that when that happy condition has been attained we may be able to find the country flourishing, happy, and contented without the aid of a Coercion Bill.

Earl GRANVILLE: I should wish to say a few words in support of the Motion for the second reading of this Bill. And, in the first place, I have to thank the noble Earl opposite for the spirit in which he has approached this question, and I can assure him that he has expressed with accuracy the feeling that has actuated us in bringing forward this measure. We did feel great regret at the necessity that compelled us to introduce this Bill to Parliament, and it was in our view humiliating that we should have to do so. I cannot, however, quite agree with the noble Earl as to the causes which have contributed to bring about the present state of things in Ireland. The noble Earl referred to the different measures dealing with civil and religious questions which have been passed with the view of restoring tranquillity in Ireland during the last 50 years. I do not believe, however, that he meant to say that he regretted the passing of the Catholic Emancipation Act, or of the measures that restored Ireland to civil life. I pass over lightly the remarks of the noble Earl with reference to the statute that disestablished the Church of Ireland, an institution that, in my opinion, was one of the greatest anomalies that ever existed in the world. But, when the noble Earl goes on to say that we are now in an unexampled state with regard to Ireland, the seriousness of the situation completely justifying the measure we now propose, I am surprised to hear the noble Earl talk of the condition of Ireland as one which has sprung up during the last six months of the present Government being in power. Has not the constant occurrence of coercion during the last 80 years shown that there was something wrong to be dealt with? Have there not been manifestations of a very much worse character than that which we deplore now? Was there no coercion in 1814 and in 1830, and at other times when the prevalence of violence was much greater than it is now? The noble Earl has traced the present state of Ireland to three causes—first, bad harvests, and I have no doubt a great deal is due to that; and then, the efforts of those living in a foreign country, and passing to and fro between another Continent and these Islands; and also to certain parties having made the question of Ireland a Party question. With regard to the first of these two causes, I entirely agree with the noble Earl; but with regard to the third, he appears to forget who it was who appealed to the constituencies at the last General Election on the subject of Ireland. The noble Earl's case is that this new state of things in Ireland has arisen since he left Office. Does the noble Earl think that the Land League started into life after he left Office? Had it not been in existence for more than a year before that time, and had it not then held upwards of 200 meetings, in which it was resolved to compel the landlords to reduce their rents? Has the noble Earl never heard of a man named Michael Davitt, whom the late Government prosecuted and then released without consulting the Irish Government? The noble Earl seems to have forgotten that outrages in Ireland connected with the Land League had been increasing up to the time that he left Office. I think that, during the noble Earl's last year of Office, these outrages were something like three times as many as in the year preceding, and more than six times as many as in the year before that. It is idle to fix on any one Government the responsibility for the state of Ireland. There are reasons that create very great difficulty in dealing with Ireland; and, while we are introducing measures going beyond the usual powers of the Constitution in order to restore the power and majesty of the law in that country, we ought always to remember that this country has a very heavy debt against it for having misgoverned Ireland to a degree hardly known in other countries up to a very recent time; and when he sneers at the reforms made during the last 50 years, which have been according to right principles and according to the principles which I hope we shall continue to observe, I think he is doing that which can only excite that feeling between the two countries which it is most undesirable for one in so high a position to encourage. I am happy to say that I entirely concur with the concluding sentences of the speech of the noble Earl. I believe that it is absolutely necessary to pass such a measure as this at the present moment; but, having passed it, we should administer the law both with firmness and mercy. We shall do exactly what is necessary to produce the end desired without the slightest exaggeration, without doing anything that is unmeaning or unnecessary, or anything that savours in the least of persecution.

VISCOUNT MIDLETON said, the question their Lordships had to ask themselves was whether the state of affairs in Ireland was sufficient to justify the introduction of this measure; and he was sorry to say, from what he knew, that he believed it was. During the late General Election he was in Ireland, and conversed freely with the people, and there was no doubt they were completely misled as to what the real intentions of Her Majesty's Government were. This was due to the imprudent speech of Mr. Gladstone in Mid Lothian, and to the fact that when they came into Office the present Government took no means to renew the Peace Preservation Act, though it was a matter of notoriety that the great majority of resident magistrates had reported in favour of its renewal. Then came the introduction of the Compensation for Disturbance Bill, which he voted against, because he knew if it was passed it would create false hopes in the minds of the Irish people. When Mr. Childers visited Ireland also, he took no occasion to speak in deprecation of the disorders which were then going on. It was not until last Lord Mayor's Day that the country heard from the lips of his noble and learned Friend on the Woolsack anything definite as to the views of the Government in reference to this matter. There could be no doubt that the delay had had a most deleterious effect upon the state of Ireland; and the delay was the more to be wondered at because there were in the Cabinet two Members (Earl Spencer and the Earl of Kimberley) who had administered Ireland in troublous times, with an amount of coolness and courage that deserved the utmost credit, who could have given advice to their Colleagues which would, he should have thought, have saved any needless delay. It might fairly be said that these were bygones; but, nevertheless, he had thought it right to refer to them in extenuation of the conduct which had been displayed on the other side of the Channel by a comparatively ignorant, but imaginative population. But their Lordships were now face to face with the question whether the state of Ireland at the present moment was such as to justify the introduction of this Bill. He was bound to say, apart from all considerations of Party, and looking simply to the state of that country, that he thought it was. He could not, however, call it a statesmanlike measure, because it was the business of statesmen to foresee evils, and to guard against them, and in this instance he could not honestly say that that had been done. The noble Lord then proceeded to quote instances in support of his view, refraining, for reasons which he said would be obvious, from mentioning names or localities, but vouching for the accuracy of his facts. In one case a landowner charged a rent lower than Griffith's valuation for his farms; but not only were no rents paid on many holdings last autumn, but in several cases where the payment was tendered the money was returned to the tenants, in order that they might be able to inform the agents of the Land League that they had paid no rent. In other cases, kind and indulgent landlords had been driven from the country by the terrorism exercised over their tenants and themselves; and there was an instance of a land agent who had advised the tenants to subscribe to the Land League, on the same principle as they would secure their liberty by paying blackmail to the brigands of Southern Italy or of Sicily. Only a few weeks ago a Liverpool firm declined to support works in Ireland in which they were interested, and which they had theretofore assisted, stating that they would not risk a penny of their money in a country where life and property were insecure; and the result was that a large number of people would be thrown out of employment. Again, in the East of Ireland, money was required to complete a railway and works of great local, even of national importance, and three of the largest landlords in the neighbourhood came forward and offered their joint and several bonds and mortgages of their estates as security; but the Board to whom the application for the advance was addressed declined to make it, holding that landed property had ceased to be a valid security. They heard this question spoken of as though it was a tenant farmer's question for Ireland; but they were not the only people who were affected by the agitation which was going on. In fact, they were only a part of the population, numbering, as it was said, some 600,000; but actually it had been shown by the Returns that the total did not exceed 430,000, and that, he believed, was a liberal estimate. But what about the labourers? The labourers, whose numbers exceeded those of the farmers by some thousands, could gain nothing by the agitation which was going on; and if the agitation continued, they would be at the mercy of the tenant farmers, and in a worse position than they were now. Coming to the main question, he had no doubt there was a necessity for legislation. The necessity for it, however, arose, in a great measure, from the incendiary publications which were scattered broadcast. He did not know whether any of their Lordships had seen a copy of *The Irish World*—an American paper — which circulated by thousands in Ireland week by week, and contained the most inflammatory and revolutionary articles and doctrine. It was impossible that such a publication could be read by the Irish people without producing the worst results. The time had therefore come when it must be shown unmistakeably to the Irish peasantry who were masters in Ireland, whether the Government of the Queen or the Land League. He did not believe that when the present Bill had passed, and the fact that it had passed was published, there would be much trouble in Ireland. He did not believe that under the Bill there would be any necessity to take very strong measures; but the result would prevent much misery in Ireland to those whom he was sure were acting against their will through fear of the Land League. He desired to say a word in reference to the Roman Catholic priesthood in Ireland. They were absolutely dependent upon the bounty of their flocks. The loss of popularity to them meant the loss of their means; and yet they had come forward—not, he was sorry to say, universally—and advised their people not to break their contracts, but to fulfil the obligations into which they had entered, and then trust to the liberality of Parliament to redress any grievances which were found to be real. For his own part, he could only say that any measure which might be introduced to redress proved grievances should have his hearty support. He believed, in regard to the landowners, that not one in 100 wished to do anything which was not strictly fair and right by those who occupied the land. Under the present system hardships might, and no doubt did, prevail; but they were the exception, and not the rule. The Government, however, ought to have taken the matter in hand earlier, and decided what they intended to do with reference to the question of law and order in Ireland. The measure itself he could not regard as a statesmanlike measure; but he believed it was an honest attempt to grapple with a thorny subject which had agitated the country for the last 30 years, and for that reason he gave it his earnest support.

LORD INCHIQUIN said, he would detain their Lordships but for a few moments upon the most important subject which was before them. In the first place, he must say that he supported the measure with extreme regret; but it seemed to him that it was absolutely necessary, and he believed that was the feeling of nine-tenths of the country generally. It was not only the people of England, but the people of Ireland who saw the necessity for the Bill; and if he had a regret at all in supporting the Bill it was intensified by the fact that it was not introduced at an earlier period. He thought the Government should have been at least three or four months earlier in introducing the measure; and if they had been, a great deal of the misfortune and misery which had lately fallen on Ireland would have been avoided. He was aware of all the difficulties which the Government might have had to contend with, and that it had been said Government could not have taken such a course. But when they had to deal with the welfare of a country and preserve law and order, a Government, and especially a strong Government like the present, could disregard all that was said. He believed that such a Government ought to be supported in their policy; because, acting on the voice of the people, and placed in position by the constituencies, they were responsible for that position, and if they required a measure of the kind to preserve order, however much he regretted it, he felt bound to support it. With respect to what had fallen from the noble Earl the Leader of the House—that the state of Ireland had been unsatifactory long before the late Government left Office—he would remind him that in one of his Mid Lothian speeches Mr. Gladstone told his audience that there was then in Ireland an absence of crime and outrage and a general sense of comfort and satisfaction such as had been hitherto unknown there. On the 7th of December last Mr. Justice

Fitzgerald stated from the Judicial Bench that for the then last month true liberty did not exist in the country, and that life and property were not safe, and yet the Government took no step to remedy that state of things. He regretted that he had not heard from the Government the expression of an intention to deal boldly with the leaders of the Land League, who were responsible for the state of things which had been seen in Ireland during the last eight months. It could easily be proved that the agrarian crimes had increased in proportion to the increase in the number of the Land League meetings. In the county of Clare the number of meetings in 1879 was 4, and the number of outrages 21. In 1880 the number of meetings was 20, and of outrages 93. In the East Riding of the county of Cork the meetings in 1879 were 6, and the outrages 27. In 1880 there were 42 meetings, and 157 crimes. In the West Riding, in 1879, no meetings were held, and there were only 16 outrages. In 1880, 27 meetings were held and 133 outrages were committed. In Kerry, in 1879, 4 meetings were held and 13 outrages committed. In 1880, 23 meetings were held and 298 outrages committed. In the West Riding of Galway, in 1879, 14 meetings were held and 146 outrages were committed. In 1880, 34 meetings were held and 324 outrages were committed. In Mayo, in 1879, 37 meetings were held, and 170 outrages were committed. In 1880, 55 meetings were held and 343 outrages were committed. He would not weary the House by reading through the list. What he had already read was sufficient to show that agrarian crimes had kept pace with the number of land meetings held, and that crime had been induced by the influence of the Land League. He maintained that until the Government put down the Land League there would be no peace in the land. The Government might introduce what Land Act they pleased; they might confiscate a large portion of the land which had come down to the present landlords for centuries. He said, with no feelings of shame, that he and his family had been connected with Ireland for centuries, and they might rob them of their property, or a large share of it; but they would never restore peace in Ireland until they had put down the League, which had reduced the country to its present unhappy condition. The Government ought, in his opinion, to have suppressed the meetings of the League in the autumn months, when it was found that treasonable doctrines were being preached, and they merited great reprobation for having disregarded the advice then given to them, and having allowed these meetings to continue. The Returns that had been published did not represent a tithe of the agrarian crimes that were committed during the autumn. He himself knew of many crimes that were not reported to the police. He might mention a case that had come under his immediate observation. A tenant of his who had paid his rent subsequently came to him and asked that the money might be returned *pro formâ,* as the local Land League had threatened to "Boycott" him unless he should produce evidence of having received back the rent which he had paid. Another Return showed the comparatively few instances in which juries had convicted in Ireland. This and other circumstances confirmed him in the opinion that the jury system ought to be placed on a better footing. The present temporary measures would only have a temporary effect, and as soon as they were withdrawn the same state of things as now would be found again. In conclusion, he expressed his great regret that it should be found absolutely necessary to have such a Bill before them as they were now reading a second time; and he trusted that whatever measure of reform with regard to land was brought forward it would be carefully considered, and not hastily rejected by their Lordships, because it was essential, in the interests of the landlords themselves, that the Land Laws should be put on such a foundation that the country would not be subjected again to such constant changes as had taken place of late years.

Motion *agreed to;* Bill read 2ª accordingly; Committee *negatived;* and Bill to be read 3ª *To-morrow.*

House adjourned at a quarter past
Seven o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 1*st March*, 1881.

MINUTES.]—SELECT COMMITTEE—Contagious Diseases, Colonel Alexander *discharged*, Mr. Tottenham *added*.

PRIVATE BILL (*by Order*)—*Second Reading*—Coventry Canal Navigation*.

PUBLIC BILLS—*Ordered—First Reading*—Peace Preservation (Ireland) [98].

Second Reading—Local Government Provisional Orders (Godalming, &c.) * [88]; India Office (Sale of Superfluous Land) [91].

QUESTIONS.

PARLIAMENT—ASH-WEDNESDAY—THE THEATRES.

MR. WOODALL asked the Secretary of State for the Home Department, Whether his attention has been directed to the conflict of jurisdiction affecting places of public amusement under which the Metropolitan theatres and certain patent houses in the Provinces are compelled to close on Ash Wednesday, while the music halls on the Surrey side, and all theatres not subject to the jurisdiction of the Lord Chamberlain are free from such disability; and, whether the Government will endeavour to remedy the injustice whereby some thousands of people are thus denied the opportunity of earning their livelihood while all other trades and professions may be legally pursued?

MR. COURTNEY: Sir, I beg to state that the subject is engaging the attention of the Secretary of State. It is a somewhat complicated one, and he is not yet in a position to express an opinion upon it.

PUBLIC HEALTH—TRICHINOSIS—IMPORTATION OF PORK FROM THE UNITED STATES.

MR. DIXON-HARTLAND asked the Vice President of the Council, Whether he has been informed of the prevalence of trichinosis amongst swine at Chicago, and is aware that large quantities of pork, ham, bacon, &c., are exported from that city to this Country; whether he is further aware that the French and other Governments have, in consequence, prohibited the importation of pork from the United States; and, whether, in view of the deadly character of the disease propagated by the consumption of diseased meat, two deaths having been reported from Dublin within the last few days, he has taken any, and, if so, what steps, to ascertain if any infected meat has been imported into the United Kingdom; and, if not, what steps he is prepared to take to prevent such importation?

MR. MUNDELLA: Sir, we have no evidence of the prevalence of trichinosis among swine at Chicago. Chicago is merely a centre to which hogs are sent from hundreds of miles around to the curing-houses which exist there, and the cured pork is exported thence to this and other countries; but it must be remembered that the disease cannot be detected in the living animal, and generally only by a microscopic examination of the flesh. We are aware that the French have prohibited the importation of American pork. Their import, we are informed, has been comparatively small—not more than 1-12th of the import to this country. Italy, Greece, Spain, and Portugal prohibited American pork about two years ago, when some alarm prevailed as to trichinosis disease; but it should be noticed that these are self-sustaining countries, and not dependent, as we are, upon external supplies of animal food. With respect to disease as it affects the population in England and Wales, the Local Government Board is alone responsible. The Irish Government is responsible for public health in Ireland. The functions of the Veterinary Department of the Privy Council are confined entirely to the diseases of living animals. I think it is only right to say that no facts have been brought to our notice to justify any alarm. I can only repeat what I stated last week, that the prohibition of such an enormous food supply could only be justified by the most urgent necessity. As regards the two cases referred to in Dublin, there is no evidence to show that death resulted from trichinosis, or that the deceased had been in the habit of consuming American pork.

CRIMINAL LAW (SCOTLAND)—CASE OF MISTAKEN IDENTITY.

MR. MACDONALD asked the Secretary of State for the Home Department, If his attention has been called to a case tried before the Police or Burgh Magistrates' Court, Greenock, on the 21st instant, in which a woman was convicted of being drunk and disorderly on the night of the 19th, and was ordered to pay a fine or go to prison for five days; whether it be true that two policemen swore to her being the guilty person; also, that the Law officers produced copies of two previous convictions against her; whether it was afterwards found that the wrong person had been tried and convicted, and had to be discharged, and the really guilty party tried; whether, for the better protection of the public against such acts, he will order the policemen and the Law officers to be put on their trial for perjury by the Public Prosecutor; and, if it be in conformity with Law, he will order the suspension of the magistrate from the exercise of magisterial duties, and the assessor from being the adviser of the court?

THE LORD ADVOCATE (Mr. J. M'LAREN): Sir, I have received a report on this case of mistaken identity from the Sheriff of Renfrewshire, who has inquired into it personally. His statement is too long to be given to the House; but I may say that as regards the conduct of the police there is some reason for the complaint implied in my hon. Friend's Question. I do not intend to direct that the constables should be prosecuted for perjury, because the facts do not warrant such a charge; but I have requested the Sheriff, in conjunction with the Chief Constable, to deal with the offence in such a way as may tend to prevent its repetition. I am happy to say there is no ground for any reflection on the magistrate or his assessor, who only decided on the evidence as laid before them.

EAST COAST FISHERIES—DEPREDATIONS OF FOREIGN SEAMEN—THE REPORT.

MR. BIRKBECK asked the Secretary of State for the Home Department, Whether Mr. Higgin, Q.C., has reported upon the inquiries respecting the alleged depredations by Foreign upon English fishermen on the East Coast of England; and, if so, whether he will lay the Report upon the Table?

MR. COURTNEY, in reply, said, that the Report had been received, and that it was placed yesterday in the hands of the printers for presentation to Parliament.

THE PASSENGER ACTS—SHORT SHIPS.

MR. EDWARD CLARKE asked the President of the Board of Trade, If he is aware that the following ships belonging to the Castle Line of steamers were cleared from Dartmouth during the months of August and September last year as "short ships," although carrying a larger number of passengers than is allowed for "short ships" under the Passengers Acts: the "Kinfauns Castle," the "Warwick Castle," the "Flamingo," the "Balmoral Castle," the "Grantully Castle," and the "Conway Castle;" and, whether he will produce any Correspondence which has passed between the Board of Trade and the managers of the Castle Line, and any Reports made by the officials of the Board of Trade with respect to the steps taken to prevent a similar course being pursued in the case of the "Dublin Castle," belonging to the same line, which was cleared from Dartmouth on 1st October last?

MR. CHAMBERLAIN said, he had received no information which led him to believe that the Passenger Acts had been violated in the case of the ships named in the first part of the Question. With regard to the *Dublin Castle*, he received information some time ago that more passengers had been carried than appeared in the list sent to the Department. On making inquiry of the owners he found that the list sent to the Department was correct at the time the ship left London; but that, subsequently, they had received a very urgent message from the Cape Government asking them to take over a small body of Cape Riflemen whose presence was immediately required, and that they had not felt justified in refusing. He thought this reason for infringing the letter of the law sufficient; but he had caused a letter to be addressed to the owners directing that in future cases of the kind they should first obtain the permission of the Department. He did not think that the public interest would be served by the production of the official Correspondence which had taken place on this subject.

SCIENCE AND ART—INTERNATIONAL EXHIBITION OF ELECTRICAL APPARATUS.

SIR HENRY TYLER asked the Secretary to the Treasury, Whether any, and, if so, what arrangements have been made to afford facilities and meet the requirements of British exhibitors at the forthcoming International Exhibition of Electrical Apparatus at Paris?

LORD FREDERICK CAVENDISH: Sir, It is not intended to appoint a Commission for the purposes named by the hon. Member. The Government has never yet undertaken the task of affording facilities to British exhibitors at foreign exhibitions of a special character. Past experience in connection with international exhibitions of a general character has shown that there is no kind of expenditure more difficult to keep within bounds. The expenditure so incurred has varied between the limits of £28,000 spent in connection with the exhibition at Vienna, and £115,000 spent on that of Paris in 1867. Although the expenditure upon exhibitions of a special character would, doubtless, be of a very much smaller amount, it would be equally difficult to control; and if the precedent were once to be set it would be impossible for the Government to refuse equal facilities in the case of the numerous exhibitions of a similar character that will, doubtless, be held hereafter. In coming to the conclusion that they have done the Government in no way wishes to disparage the importance of the proposed exhibition. Upon the contrary, they recognize its great interest, and the Postmaster General has been authorized to accept the invitation which has been addressed to him to exhibit specimens of telegraph appliances, both past and present. Delegates will also be sent from the Post Office to take part in the Congress of Electricians, which will be held at the same time as the exhibition. I may add that there is nothing to prevent the formation of a Committee to afford facilities to British exhibitors, as was done on the occasion of the Brussels Exhibition, and on some others when the Government took no direct part, and I hope that such a Committee may be formed.

NAVY—SEAMEN (TEN YEARS' SERVICE).

SIR JOHN HAY asked the Secretary to the Admiralty, If he will lay upon the Table a Return showing in each year since 1875 the number of Seamen who take their discharge at the end of ten years' service, and the number of men who re-entered for further service in the Navy, specifying their ratings?

MR. TREVELYAN, in reply, said that he could give the hon. and gallant Baronet much of the information he asked for, but not quite all.

VACCINATION.

MR. HOPWOOD asked the President of the Local Government Board, Whether it be true that a practice of vaccinating infants as early as the first week after birth, and even earlier, has been adopted in some workhouses; if it be done under the sanction of the Local Government Board; and, is the free consent of the mother in these cases first obtained?

MR. DODSON: Sir, it is quite true that a practice of vaccinating children in the first week after birth has been adopted in some workhouses, and in some individual cases I have ascertained that the operation has been performed earlier than the completion of the first half of the week; but in the Circular recently issued by the Local Government Board it was pointed out that the children might, as a rule, be vaccinated when six days old, so that the result could be ascertained on the 13th day, and before the mothers leave the workhouse, which is often at a very early period. If these children were not vaccinated in the workhouse, they would probably not be vaccinated at all. No complaints have reached me with regard to these early vaccinations. In many cases the free consent of the mothers to the vaccination of the children has been specifically obtained. In others, where it has not been so asked for, acquiescence, in the absence of objection, has been assumed; but I am not aware of any instance where a child has been vaccinated after the refusal of the mother.

MR. FIRTH asked the President of the Local Government Board, Whether he is aware that, owing to the increase of small-pox in Western London, many inhabitants are being re-vaccinated; and, whether, having regard to the fact that no lymph can be obtained from secondary vaccination and that great difficulty exists in obtaining lymph, he is prepared forthwith to provide a proper supply of calf vaccine or humanized lymph for all duly qualified persons applying for the same?

Mr. DODSON: Sir, there is no doubt that, owing to the increase of small-pox in Western London, many persons are being re-vaccinated. It is very desirable that persons should be re-vaccinated; but it would have been much better if, instead of waiting for an epidemic of this kind, as has been done in too many instances, they had been re-vaccinated at the age at which the Board recommend it to be done. With regard to the supply of lymph, it must be borne in mind that the national vaccine establishments only undertake to supply stock, and do not supply lymph for the vaccination of every individual. I do not find, however, that any registered practitioner who has applied for lymph has yet been refused. Arrangements are in progress for providing a supply of calf vaccine; but considerable difficulties have been experienced in organizing the necessary establishment. I trust, however, that these difficulties will shortly be surmounted.

AFGHANISTAN—RETENTION OF CANDAHAR—SIR DONALD STEWART.

Sir H. DRUMMOND WOLFF asked the Secretary of State for India, If the Sir Donald Stewart, whose opinion is recorded in the late Blue Book, in a memorandum dated April 18th, 1879, as adverse to the retention of Kandahar, is the same Sir Donald Stewart who, on the 25th March, 1880, assured the Chiefs of Kandahar that "There was no chance of Kandahar again falling under the authority of the Supreme Ruler in Kabul" (Afghanistan, No. 1, page 20, 1881); and, who again on the 2nd July, 1880, expressed his "hearty agreement with the drift of a paper" of Sir Frederick Roberts, in which it is pointed out that "The Military occupation of Kandahar is, as I have before stated, of vital importance;" and, if so, whether the Government have any ground for believing that these later opinions do not express Sir Donald Stewart's present views.

The Marquess of HARTINGTON: In reply to this Question, and to another of which Notice has been given by the right hon. and gallant Member for Wigtown (Sir John Hay), I have to say that the Sir Donald Stewart, whose opinion, adverse to the retention of Candahar, is recorded in the late Blue Book, in a Memorandum dated April 18, 1879, is the same officer who, on the 25th of March, 1880, communicated to the Chiefs and people of Candahar certain arrangements, by order of the Government of India, which arrangements, as the House is aware, it has not been found possible to maintain in practice. Sir Donald Stewart subsequently expressed his hearty agreement with the drift of a Paper written by Sir Frederick Roberts. I have reason to believe that Sir Donald Stewart's full and latest opinion on this question will be contained in a Minute which will shortly be sent home from India, and which I hope to be able to lay on the Table of the House.

THE IRISH LAND ACT COMMISSION—THE EVIDENCE.

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, in view of the impending discussion of the Irish Land question, he can indicate how soon the Minutes of Evidence taken before the Irish Land Act Commissioners, and referred to in their official report, bearing date the 4th of January, will probably be placed in the hands of Members; and, also, whether he will cause to be laid upon the Table of the House, in time for the debates upon the relation of landlord and tenant in Ireland, a Return of the amounts lent to Irish landlords under the Relief of Distress Acts (1880) for execution of improvements on their properties, specifying the amount of the loan allotted and issued to each landowner, and the amount certified by the Board of Works as having been expended on improvements by each landlord up to the present date?

The ATTORNEY GENERAL for IRELAND (Mr. Law): Sir, the first volume of the Minutes of Evidence taken before this Commission will be delivered to the hon. Members on or before Friday next. I understand that this volume will consist of about 900 pages—namely, 752 pages of evidence, and 146 of digest. The second and concluding volume of evidence will follow as soon as possible. With regard to the second subject alluded to in the Question, I think the hon. Member will find that the greater part of the information asked for has already been presented to the House, on the Motion of the hon. Member for Salford (Mr. Arthur Arnold), who, on the 11th of January, obtained a Return dealing with all such loans up to the 31st of December, 1880. That Return was presented on the 21st of February, and ordered to be printed on the 23rd; but I do not think it has yet been circulated.

SOUTH AFRICA — THE TRANSVAAL (NEGOTIATIONS).

SIR **WILFRID LAWSON** asked the Secretary of State for War, Whether any orders were given to restrain the Army in the Transvaal from advancing until the result of the negotiations with the Boers was known?

MR. **CHILDERS**: Sir, Her Majesty's Government regret that they are still unable, consistently with due regard for the public interest, to make any statement to Parliament as to the communications between the Boer leaders and the late Sir George Colley, or as to instructions given to Sir George Colley in reference to those communications. This is the more necessary, as, in consequence of Sir George Colley's lamented death, we are not quite certain of the exact position of those communications. I must, therefore, ask the House to excuse me if I do not reply to the Question of my hon. Friend.

LORD **ELCHO** wished to ask a further Question. The hon. Baronet had asked whether orders were given to restrain the Army in the Transvaal from advancing. He wished to ask whether we had any Army at all in the Transvaal, for he had reason to believe that all these military operations took place in Natal.

MR. **CHILDERS**: Both Mount Prospect and Laing's Nek are in Natal; but, on the other hand, we have, unfortunately, garrisons of considerable strength shut up in the Transvaal.

MEDICAL RELIEF (SCOTLAND).

CAPTAIN **MAXWELL-HERON** asked the Secretary to the Treasury, Whether, in framing the Estimates for the ensuing year, the Government have taken into consideration the advisability of granting to Scotland an amount of medical relief in proportion to that given to the rest of the United Kingdom?

LORD **FREDERICK CAVENDISH**: The right hon. Gentleman the First Lord of the Treasury stated last year, in reply to a Question upon this subject from my hon. Friend the Member for Glasgow, that the Government was considering the subject of grants-in-aid at large with the view of devising, if possible, some better method of regulating the appropriation of public money for local purposes. It is impossible, in the present state of Public Business, to undertake that this subject, which is one of very great extent and importance, and connected, in a considerable degree, with the general question of local government, can be dealt with in the present Session; but my right hon. Friend is anxious to do so on the first opportunity; and the inequality referred to in the Question of the hon. Member and others now subsisting in the relative proportion of grants-in-aid in Scotland and England makes him especially anxious to find such an opportunity for dealing with the question in Scotland. In the meantime it has not been considered advisable to insert an additional sum in the Estimates for medical relief.

STATE OF IRELAND—JOHN DEVOY.

MR. **SCHREIBER** asked the Secretary of State for the Home Department, Whether it is true, as stated in the public press, that he has received a telegram from Mr. Devoy, or a telegram purporting to come from Mr. Devoy, and threatening him with assassination; and, if so, whether any and what representations have been made to the Government of the United States upon this subject?

MR. **HEALY** said, that before this Question was answered perhaps the right hon. and learned Gentleman would allow him to ask who it was that supplied the Press with the statement that Mr. Devoy had sent a telegram threatening the life of the Home Secretary, whereas, according to *The Times* of today, Mr. Devoy did not send a telegram threatening the life of the Home Secretary or of anybody else?

SIR **WILLIAM HARCOURT**: Sir, I am sorry that the hon. Member who put the Question on the Paper should have thought it worthy of the notice of the House of Commons. I do not think it so myself, and I am utterly unable to tell the other hon. Member who sent the statement to the public Press. I did not. With reference to the first Question, I have to say that I did receive a telegram signed "John Devoy." It was somewhat of a menacing character. It proposed to stamp me out. [Mr. HEALY: No!] But it did not explain the exact method in which that operation was to be performed, nor whether the resources of modern science would be employed for the purpose. With reference to John Devoy, I would venture to say that as long as he and his confederates, the leaders of the Land League, think fit to remain beyond the seas, whether on the other side of the Atlantic or the Straits of Dover, the less notice we take of them the better. We may be quite content to say, as was said of a certain gentleman of old, *Abiit, evasit, erupit.* If John Devoy were to come within the Dominions of the Queen, no doubt it might be my official duty to pay him some personal attention. But the hon. Member asks me another Question—namely, whether I propose to make any representations to the United States. Now, I certainly do not propose to do that. If we were to enter into an international discussion on the matter I am not quite sure whether we or the United States would have most ground for complaint. We got rid of John Devoy out of a convict prison, and the United States have acquired him as an American citizen. And as we have got very much the best of the bargain I think we had better leave the matter as it stands.

SOUTH AFRICA—THE BASUTOS (NEGOTIATIONS).

MR. CARINGTON asked the Secretary of State for India, Whether the Government intend to instruct Sir Hercules Robinson to treat direct with the Basutos, so as to ensure fair and reasonable terms of peace being offered to them?

THE MARQUESS OF HARTINGTON: Sir, I must refer the hon. Member to the following passage in the Instructions addressed to Sir Hercules Robinson on the 30th of December last:—

> "If the Colonial Government should desire that an effort should be made to bring about a settlement through the Imperial authority and you should be satisfied that the Basutos would be willing to place themselves in the hands of Her Majesty's Government, I should be ready to receive favourably any proposition for the appointment of a Commission to consider and recommend terms of settlement, or for the direct intervention of the Crown if that should appear preferable."

Neither of the conditions contemplated being fulfilled at the present time, Her Majesty's Government are unable to give Sir Hercules Robinson instructions to treat directly with the Basutos; but he will continue to use his influence in favour of a settlement upon fair and reasonable terms.

MEDICAL REFORM.

MR. ERRINGTON asked the Vice President of the Council, Whether it is decided, as stated in the "Times," to refer the question of medical reform to a Royal Commission, instead of permitting the inquiry commenced before a Select Committee to be concluded?

MR. MUNDELLA: Sir, after consulting several Members of this House who served on the Committees on Medical Acts, we have arrived at the conclusion that a Royal Commission will afford the best means by which a satisfactory investigation and Report upon these Acts can be obtained.

THE IRISH LAND COMMISSION (THE EARL OF BESSBOROUGH'S).

COLONEL TAYLOR asked the Secretary of State for the Home Department, When the evidence taken before the Land Commission, presided over by Lord Bessborough, which was presented to the House of Commons on the 11th of February last, will be in the hands of Members?

MR. COURTNEY: Sir, the first volume of the evidence referred to will be delivered on or before Friday next, the 4th instant. It will contain about 752 pages of evidence and 146 of digest. A second volume will appear subsequently.

SOUTH AFRICA — THE TRANSVAAL (MILITARY OPERATIONS) — TELEGRAMS.

SIR HENRY TYLER asked the Secretary of State for War, To produce all the telegrams from the 4th December, 1880, to the 27th February, 1881, between Her Majesty's Government and the late Sir George Colley, relating to the Military operations that had then taken place?

MR. CHILDERS: In reply to the hon. Gentleman, I have to state that it is unusual to produce telegrams between the War Office and Commanders abroad on military operations, most of which, from their very nature, are confidential, except such as are included by the Colonial Office in Papers presented to Parliament about the Colonies where such operations are conducted.

SOUTH AFRICA—THE TRANSVAAL (MILITARY OPERATIONS)—DEFEAT OF THE BRITISH FORCES.

Colonel STANLEY asked the Secretary of State for War, Whether he could give the House any information as to the defeat in the Transvaal subsequent to that given yesterday; and whether he could, without detriment to the public service, state what steps had been taken in consequence of that unfortunate disaster.

Mr. CHILDERS: In reply to my right hon. and gallant Friend I have to say that we have received two telegrams to-day. The first is as follows:—

> "I hope that the loss was exaggerated in the first news from the front. The road is open to Newcastle. Fraser, of the Royal Engineers, walked into the camp at Mount Prospect at 4 a.m."

The second runs thus—

> "The officer in command at Mount Prospect reports that Fraser arrived there this morning unwounded. Cornish, Landon, and Chard have come in. No news yet of Lieut.-Colonel Stewart."

As to the last statement, I am happy to say that Colonel Stewart has arrived in camp, or, at any rate, that he is not killed, as at first reported. [Sir Stafford Northcote: From whom are these telegrams?] The first is from Sir Evelyn Wood, and the second from the officer in command lower down. As I have just alluded to news of Colonel Stewart received in an unofficial despatch, I will venture to say a few words to the House, and through the House to others, upon a subject which, I am sure, will justify me in calling attention to it at the present time. I wish to say, in the first place, that we owe a great debt of gratitude to the Press, both in London and in other parts of the country, for the exceedingly valuable news that they have furnished to the country in connection with the operations in this war—news which, I ought to say, in many instances they have sent to us even before it went to the public. I think our best thanks are due to the Press for the exertions that have been made in placing at the seat of war such excellent telegraphic correspondents. I wish also to make an appeal that I am certain will not be misunderstood, and it is this—although very little as yet has been contained in any of those telegraphic despatches to which the least exception can be taken, there have been passages in some of them, the purport of which, if it became known to the Boers, would certainly tend to give them information of some importance. I would, therefore, while thanking the Press for the great assistance given, ask that, before the telegrams are published, the question may be considered whether they do not contain hints of intended movements which, however much they may be welcomed by the curiosity of the public, cannot but be injurious to the public interests. My right hon. and gallant Friend asks, in the second part of his Question, whether I can supplement my statement of yesterday by any further information. I may say that a very short time after he asked the Question yesterday evening I should have been in a position to state to the House that Her Majesty's Government had decided to appoint Sir Frederick Roberts to be Commander-in-Chief of our Armies in Natal. We do not appoint him from the smallest want of confidence in Sir Evelyn Wood, who is a most distinguished officer, but because, considering the large force which is and will be employed in these operations, we thought it desirable to send there in supreme command an officer of the position of Sir Frederick Roberts; and I think and believe that the House and the country will approve the course we have taken. Secondly, with respect to what we are doing still further to strengthen the force in South Africa, I may say this—in the first place, we decided yesterday to send three additional Infantry regiments to Durban, and all the necessary orders were given with that object. I am not sure that some part of those orders has not already been communicated to the public through the newspapers. The 85th Regiment from Bombay, and six companies of the 102nd from Ceylon, will proceed to Durban in the *Euphrates*, which is now at Bombay, and will arrive on the 23rd of this month. The *Orontes*, which ought to be at Bermuda to-day on the service of transporting the 99th Regiment from Bermuda to the West Indies, will proceed to Durban with the 99th, and will arrive about the 30th of this month. In addition to these three regiments, we decided to-day, after consultation with Sir Frederick Roberts, to carry out what we thought yesterday would probably be necessary, and for which preliminary arrangements have been made—I mean the despatch of three more regiments of Infantry to Durban. They will be conveyed without loss of time by ships that will carry them from Gibraltar and Malta. I am not quite sure about the day on which they will arrive; but, at any rate, I believe it will not be much, if at all, later than the three first regiments to which I have referred. We have also telegraphed to Sir Evelyn Wood to inquire whether he requires any more transport, and especially whether he will have mules for that purpose; and if his answer is in the affirmative—and we expect it to-night—we shall at once make arrangements, and have already made preliminary arrangements, to send the mules across from Buenos Ayres. We have also asked him whether he thinks it desirable to have more Cavalry and another battery of Artillery. This has been done after consultation with Sir Frederick Roberts; and although I have some doubt about the Cavalry, I think an additional battery of Artillery will be sent. In addition, we are sending out, besides the 1,500 drafts I mentioned some days ago, still further drafts to the regiments at the Cape, which will, in part, consist of men of the Army Reserve. We invited, under stringent limitations, men to volunteer from the Reserve, and they have come up well. We are now inviting more men, under less stringent conditions, and I do not doubt that the result will be satisfactory. I have stated now to the House all that was decided yesterday afternoon and this morning, and I have reason to believe that all these arrangements are likely to be carried out promptly.

Mr. W. H. SMITH: I wish to ask whether there is any intention on the part of the Naval Authorities to land men from the fleet now at Simon's Bay, with a view of increasing the strength of the Naval Brigade at the seat of war?

Mr. TREVELYAN: Sir, the Earl of Clanwilliam, who is in command of the Detached Squadron, being within reach of the telegraph, will not land a Naval Brigade without orders from the Admiralty, and those orders will only be given after application from the Military or Colonial Authorities. No such application has yet been made. I may be allowed to read a passage from the instructions to the Earl of Clanwilliam, as they express the policy of the Admiralty with regard to Naval Brigades—

> "You will not land any officers or men to take part in active operations on shore without the sanction of their Lordships obtained by telegraph or letter; but you will afford every assistance in your power afloat and on the seaboard in co-operation with the naval and military forces engaged in suppressing the revolt in the Transvaal. In the event of circumstances, which it is hoped will not arise, necessitating the landing of a Naval Contingent, with their Lordships' sanction, care is to be taken to provide for the safety of the ships, and such contingent is to be re-embarked at the earliest time which may be practicable, in order that the squadron under your command should be ready for any service that may be required of it."

These instructions were sent off six weeks ago, and have, of course, been long in Lord Clanwilliam's hands. By a very recent order the Detached Squadron has been directed not to leave the Cape until further orders from the Admiralty.

Colonel STANLEY: I should like to ask the right hon. Gentleman whether any telegram has been received stating whether the wounded have been recovered from the scene of action or any wounded brought to the camp?

Mr. ELLIOT: Before the right hon. Gentleman answers the Question I would like to ask if the report in this evening's *Standard* purporting to give a list of the wounded is correct?

Mr. CHILDERS: Sir, I have read to the House all the telegrams bearing on questions of the kind which we have received to-day and, therefore, I cannot verify the list of the killed and wounded which I read in the very admirable telegrams published in the morning papers. But while my right hon. and gallant Friend was asking the Question two more telegrams were put into my hand, and they are such, I believe, as I may read to the House. The first, dated 20 minutes to 1 this afternoon, is from the officer commanding at Mount Prospect. It is as follows:—

> "The number of troops engaged in the action of the 27th—35 officers, 693 men. Casualties—3 officers killed, 9 wounded, 7 prisoners, 1 missing. Non-commissioned officers and men killed 82" (very much fewer than was thought), "wounded 122, prisoners 50, missing, but believed to be wounded, not yet brought to camp, 12."

The second telegram is dated 2 o'clock this afternoon. It is as follows:—

> "Lieutenant Colonel Stewart is a prisoner, not wounded. Surgeon Major Cornish died this day."

MR. ARTHUR O'CONNOR: What is the strength of the effective forces in the field?

MR. CHILDERS: I would rather not answer that Question.

PARLIAMENT — BUSINESS OF THE HOUSE—THE MINISTERIAL STATEMENT.—EXPLANATIONS.

SIR STAFFORD NORTHCOTE: It may be for the convenience of the House that I should put a Question to the noble Lord (the Marquess of Hartington)—whether he can give the House any further information as to the course it is proposed to take with regard to Public Business? We have been a little bewildered of late by the Notices which have appeared on the Paper and disappeared. But, as far as I understand the course proposed is to take the Peace Preservation Bill as the First Order of the Day, under the Order of precedence of the 26th of January, and which I understand you, Sir, consider to be still in force; and that the noble Lord intends, before the Motion on that subject is proposed, to ask the House to declare that the Bill is urgent, and that the House shall vote Public Business to be urgent. So far the course is clear. We are most anxious to assist the Government in the difficulties in which they find themselves; but we are also anxious for further information as to the statement which I understand was made last night, when I was, unfortunately, not present, with regard to the course proposed to be taken during the progress of the Bill for which we are asked to vote urgency. I understand that urgency is not to be continuous urgency, but to be of an intermittent character; that there will be opportunities occasionally, by interrupting its progress, of taking certain Government Business, but not private Members' Business. I understand that in those cases in which the progress of the Bill would be so interrupted, it is intended that the House should be consulted, and should express its opinion whether the Bill should be so interrupted. I wish to ask, therefore, whether that be so, and whether Members will be afforded a convenient opportunity of voting "Aye" or "No" upon the suspension, or whether it will be considered a sufficient redemption of the pledge if an opportunity is afforded only at the end of an evening's Sitting, when perhaps not more than 50 or 60 Members are present? I should also be glad to know whether Notice, and, if so, what Notice, will be given in the event of the House being asked to suspend proceedings on the Bill, and especially whether we shall be asked to do so during the next day or two? I imagined, from something I saw reported of what passed last night, that it was intended to suspend the proceedings on Thursday next. If so, it would be convenient and only fair to the House that we should be informed of the intention of the Government before being asked to take such measures.

THE MARQUESS OF HARTINGTON: Sir, I stated yesterday, as well as I was able, the class of Business which it might be necessary to interpose before the conclusion of the Peace Preservation Bill. I stated also the reasons why it was necessary that a certain class of Supply should be disposed of before a date not very distant. But I hope, if this Bill does not consume a greater portion of the time of the House than it ought to consume, it will not be necessary that any frequent interruptions to the progress of the Bill should be made. At all events, at present it is not the intention of the Government to ask the House to interpose any Business whatever except the Order for Supply, for the purpose of taking the Army Estimates. I stated yesterday that it was extremely desirable that my right hon. Friend should have an opportunity of making a statement upon several very important questions connected with Army organization. We shall, therefore, propose that the House do adjourn the debate upon the Peace Preservation Bill about 9 o'clock on Thursday night, for the purpose of taking up the Order of Supply. But as, after what took place last night, I am afraid it is not by any means certain that my right hon. Friend will be able to go at once into Committee of Supply on the Army Estimates, I will state to the House the course he intends to pursue. It would not, I believe, be regular—at all events, it would be unusual—if my right hon. Friend were to enter into any detailed statements on the subject of the Estimates with the Speaker in the Chair. My right hon. Friend therefore does not propose to take that course; but he does propose, on moving that the Speaker do leave the Chair, to make some important statements, not connected in the least degree with the details of the Estimates, but which he thinks it very desirable that the House should have an opportunity of considering before giving a vote on the Army Estimates. That statement, not connected with the details of the Estimates, he proposes to make on Thursday next at 9 o'clock. I quite agree with the right hon. Gentleman, should it unfortunately be necessary to interpose any other Business during the progress of the Peace Preservation Bill, that as ample Notice as possible should be given, and that the intention of the Government should be communicated to the House at the opening of the Sitting on the previous day. I should not wish to be understood as giving a positive pledge on the subject, because I can conceive that occasions may arise when it would not be convenient to be bound by a hard-and-fast rule. For instance, if a stage of the Peace Preservation Bill were concluded earlier than was expected, it might be desirable that some Business might be interposed next day, if the subsequent stage might be likely to take up a long time. But I quite agree that it is desirable that the most ample Notice should be given from day to day as to the progress of the Bill.

Sir STAFFORD NORTHCOTE: I wish to ask a Question as to the course to be pursued by the Secretary of State for War on Thursday next. That course will be of a novel character, of a character which has been commented on unfavourably on former occasions even by the right hon. Gentleman himself. In a similar case in 1877 the right hon. Gentleman rested his objection to the course which the late Government proposed to follow with respect to the Education Estimates, partly on the ground that no Notice was given—in the present instance Notice has been given—partly on the ground that Motions might be made with the Speaker in the Chair which it would not be possible to discuss when the House was in Committee. From the explanation given by the noble Lord as to the statements to be made on Thursday, and with the understanding that we are not to be asked to pass any Vote on that occasion, I think the second objection will not so fully apply as it would to cases in ordinary circumstances. I think, in the exceptional circumstances of the case, the House will not be unwilling to agree to the course proposed, with the object of enabling the Secretary of State for War to make a statement which is important outside, beyond, and apart from the mere question of the Estimates. Is it not that which is meant?

Mr. CHILDERS: I wish to confirm entirely the description of what I wish to state on Thursday given by my noble Friend and the right hon. Gentleman opposite. I shall limit myself, if the House allow me to make the statement on Thursday, to the large question of Army Organization and other questions of that character, and if, by accident, I should mention anything which may relate to details of the Estimates, I shall not take advantage of it, but shall be careful, when I come to move the Vote, to state clearly the financial questions with which the Estimates are concerned.

Mr. J. R. YORKE: As we are now about to enter into a state of what my right hon. Friend (Sir Stafford Northcote) calls "intermittent urgency," I wish to ask you, Sir, how we are to judge of the period at which this urgency would intervene. I shall be glad if you are able to say when a Bill which is urgent may be interrupted.

Mr. SPEAKER: If the House agree to a Resolution of Urgency, the urgency would only apply so long as the matter declared by a Minister of the Crown to be urgent was before the House.

Colonel STANLEY wished to ask, Whether the right hon. Gentleman who proposed to make a statement to the House on Thursday, with the Speaker in the Chair, would avoid, as far as possible, matters which were properly dealt with under the head of Charge, and would be good enough to intimate that in moving his Estimates he would not commit those who wished to reply.

Mr. CHILDERS: I am quite aware of the objection of my right hon. and gallant Friend; but I thought I had just now explained to the House that if it should so happen in the course of my explanation of those large questions to which I shall refer that I should touch on matters of figures, I shall take care that in moving the Estimates nothing shall be omitted that is usually stated by the Secretary of State for War.

Sir R. ASSHETON CROSS wished the question to be perfectly clear before giving his vote. They assumed for the moment that urgency was voted at the request of the noble Lord, and that the Government wished to take Monday for the purpose of Supply. What the House wished to be informed upon was, whether, in case Monday was given to Supply, it would be absolutely free from the Rule of Urgency?

Mr. SPEAKER: Monday will be free from the Rule of Urgency, unless a Bill declared to be urgent is before the House.

Mr. A. M. SULLIVAN: The noble Lord has given Notice of his intention to move—

> "That the Peace Preservation (Ireland) Bill is urgent, and that the state of Public Business is urgent."

I want to know from you, Sir, in what way the urgency is to apply. In the first part of the Resolution a particular Bill is declared to be urgent; but in the latter part, Public Business, in an unlimited sense, is declared urgent, and would apply to the Motions of private Members, as well as to all other Business of the House. I respectfully ask your direction upon this point, whether a Motion, "That the state of Public Business is urgent," does not cover all the Public Business that is before the House, as well as the Peace Preservation Bill?

Mr. A. J. BALFOUR: I wish to know, if we go into Committee of Supply, whether the noble Lord will move that the state of Public Business is no longer urgent? You have ruled that Supply is not urgent; and, in order to re-establish urgency, would it not require another Resolution when the Peace Preservation Bill is taken up again?

Sir STAFFORD NORTHCOTE: On the same point, in reference to the answer you have been good enough to give my right hon. Friend near me (Sir R. Assheton Cross), when you stated that urgency will not apply in cases of Supply on Monday unless an urgent Bill were before the House, I wish to know whether, supposing that the first Order of the Day is Supply, and the second the Peace Preservation Bill, would it, in such a case, be before the House, and urgency apply to it, notwithstanding the fact that Supply stood before it; or would urgency apply to the whole of the proceedings of that evening?

Mr. SPEAKER: The Rule relating to urgency would apply when the urgent Bill is actually under discussion. If the House passes from the consideration of an urgent Bill to another matter that is not urgent, the Rules of Urgency will not apply. With regard to the Question of the hon. and learned Member for Meath (Mr. A. M. Sullivan), I have to state that the Rules of Urgency apply to the Bill or measure declared urgent in the manner prescribed by the Resolution of the right hon. Gentleman the Prime Minister on the 3rd of February.

Mr. O'DONNELL rose amid cries of "Order!"

Mr. SPEAKER: Does the hon. Member rise to a point of Order?

Mr. O'DONNELL: I have a Question to ask, and I have risen two or three times to ask it. I wish to know from the noble Lord if what he proposes is, that where an urgency Bill is before the House, and has been declared urgent by a majority of three to one, it may be set aside in favour of non-urgent Business by a mere ordinary majority? In that case I should certainly oppose.

The Marquess of HARTINGTON: It is not possible for me to answer the Question. As I understand the Rule, an urgency Bill may be set aside by an ordinary Motion; but it is not for me to say what majority would be necessary.

Mr. CALLAN: I would ask Mr. Speaker, as the chief authority of this House, to answer the Question which the hon. Member for Dungarvan (Mr. O'Donnell) has put to the noble Marquess. I wish to know whether the Business which this House, by a majority of three to one, has declared to be urgent, can be set aside by an ordinary majority?

Mr. SPEAKER: It can only be set aside in the manner prescribed by the

Resolution of the House of the 3rd of February—that is to say, by a declaration from myself, that the urgency has ceased, or by a vote of the House taken in the ordinary way.

Mr. R. H. PAGET: I wish to put a Question to the noble Marquess, which it may be convenient for him to answer. Is it his intention, on Thursday, to move the postponement of the debate on the Arms Bill, with a view of taking up Supply at 9 o'clock? I want to know whether the House will have an opportunity of deciding upon that question by a formal Motion being made to that effect at half-past 4.

The Marquess of HARTINGTON: It is not for me to interpret the Rules of the House; but I believe it would be absolutely irregular to move at half-past 4 o'clock that a debate on any subject be adjourned at any particular hour. It can only be done on a Motion at the time when the House can decide on the question. I have now, Sir, to state, as a Minister of the Crown, that the Peace Preservation (Ireland) Bill is urgent, and that it is of importance to the public interest that the same should be proceeded with without delay, and to move that the state of Public Business is urgent.

Motion made, and Question put, "That the state of Public Business is urgent."—(*The Marquess of Hartington.*)

The House *divided:*—Ayes 395; Noes 37: Majority 358—(Div. List, No. 99.)

MOTION.

PEACE PRESERVATION (IRELAND) BILL.

MOTION FOR LEAVE.

Sir WILLIAM HARCOURT: I rise to move for leave to bring in a Bill to amend the law relating to the carrying and possession of arms, and for the preservation of the public peace in Ireland. I regret very much that the duty should have devolved upon me of introducing this Bill rather than on my right hon. Friend the Chief Secretary for Ireland, who, with far greater knowledge of the subject with which it deals, would have discharged the duty more to the satisfaction of the House. But as my noble Friend the Secretary of State for India stated yesterday, the present Bill is only a supplement to, and, practically, a continuation of, the Bill which the House has already passed this Session. In that light it was regarded by the Government, and in that manner it has been received by the House, for the House, by the Resolution of the 26th of January, gave precedence to those two Bills, and decided that they should proceed *de die in diem* as if they formed parts of one measure. It may, perhaps, be thought that it was a useless proceeding to separate the two Bills, and I may state that that was done because the Government considered the suspension of the Habeas Corpus Act a matter of such paramount importance that it ought to be passed at once, and not to be encumbered with any other measure. That was the reason why we separated from it the Bill which I now ask for leave to introduce; and in making this Motion I have, at all events, the advantage that I am not under the necessity of presenting to the House any new case with reference to the condition of Ireland. I suppose, after the long and protracted debates which we have had, every Member of the House has made up his mind as to the actual condition of Ireland at this moment. I need not, therefore, discuss that subject generally further than to call attention to the particular facts which have a bearing on this Bill. I hope, I may add, that we shall hear no more of recrimination on the subject. There are, no doubt, many hon. Members who think that this Bill has been introduced too late, while others think that the Motion for its introduction is made too soon. The noble Lord the Member for Middlesex (Lord George Hamilton) I thought not very consistently with some of the language which he has used, or with the opinions of his Friends, was met with applause from some hon. Members below the Gangway on the opposite side, when he spoke of a Liberal being always more in favour of coercion than a Tory Government. ["Hear, hear!"] I hear the Leader of the Opposition, if I am not mistaken, cheer that remark; but I was under the impression that the great charge made against us by those who sit on those Benches was that we were the first Government who made the attempt to govern Ireland by the ordinary law, and that we refrained last year from continuing the Peace Preservation Bill. ["No, no!"] I thought that in introducing this Bill it might be necessary to say something on that point; but as I find that no such charge is made against me I will pass the matter by in order to avoid all subjects of controversy with hon. Gentlemen opposite. I am delighted to hear from them that there is no charge against us. ["No, no!"] Well, you cannot have it both ways; you cannot blow hot and cold. You cannot say we are a Party of coercion, and then condemn us for not renewing the Coercion Bill.

SIR JOSEPH M'KENNA: I rise to Order. I wish to know whether it is open to hon. Members, in the course of the present discussion, to refer to debates which have taken place on another Bill?

MR. SPEAKER: The right hon. and learned Gentleman is illustrating his argument.

SIR WILLIAM HARCOURT: I can assure the hon. Gentleman who rose to Order that no man desires less than I do to refer to former debates, and I will entirely abandon that topic. I only thought it necessary to say a word as to why we did not think it our duty last year to propose a Peace Preservation Bill, while we are of opinion that we are called upon to do so now. I have, however, great pleasure in dismissing that matter, and I shall at once proceed to lay before the House what the conditions have been in previous times in reference to measures of this character. There has been, since 1847, a very complicated system of Peace Preservation Acts for Ireland; but the Acts with which we are most conversant are the recent Acts of 1870 and 1875. Both those Acts contain various provisions. I will not refer to them in detail, because the Bill which I ask leave to introduce deals with one of those points, and one only, and that is the question of arms and ammunition. This Bill is simply an Arms Bill. The other provisions which were contained in the Acts of 1870, 1875, and in that of 1847, we do not deem it expedient to renew, because, in our opinion, the instrument which the House has just placed in our hands in the suspension of the Habeas Corpus Act is sufficiently powerful to render it unnecessary to revert to those particular provisions. This Bill, then, is an Arms Bill pure and simple, and what I have to show the House is that such a Bill is necessary and urgent. No doubt, we did last year think that we could do without an Arms Bill, and I will say no more on that subject, except that the experience of the period which has since elapsed has served to show that the hope which we then entertained was unfounded, though not, I trust, in the opinion of the House, ungenerous. That it was not altogether as unreasonable a hope even then as some hon. Gentlemen may be disposed to imagine, I shall be able to show from one or two passages in the Charge which Mr. Justice Fitzgerald delivered at the Winter Assizes for Munster, which describes what was the state of Ireland in August last and in the month of December. The Judge to whom I refer said—

> "Now, the matters to which I shall have immediately to advert will be found to have arisen within a very short period previous to the present time; and you will recollect here, and I recollect, that throughout the whole country, save the Province of Connaught, at the last Assizes—that is the Summer Assizes, which we may say terminated about the first week of August last—the general tone of the observations of the Judges—they did not pretend to see beneath the surface—was that in the other three Provinces in the country there was a very small amount of crime indeed to be dealt with. Of course, a Judge has no greater opportunity than you have of knowing what is passing, save that he is armed with reliable official Reports of all crimes reported to have been committed during a certain period. I must say that, at the last Summer Assizes, at the close of it, it was my duty to address the jurors of a neighbouring district, and in all cases to point out the great absence of crime."

That was the condition in August last. That was the condition of Ireland which the Government found on their accession to Office, and which, according to Justice Fitzgerald, continued to August last. Now, what happened in August? That is what is important. What change did the condition of Ireland undergo between August and Christmas? That is the point to which I shall ask the careful attention of the House, because that is really the foundation of the Bill. At the return of the Summer Vacation, at the end of October last, we found all that changed. And Judge Fitzgerald said—

> "In place of the description that I have given you we found that some organization—I do not profess to say or to know what it was—but some organization, acting on the cupidity, the passions, and the fears of the people, had reduced some districts in the country into anarchy and confusion—little, if at all, differing from civil war.

> In addition to that, it was obvious to everyone that you had to deal with an armed population. The offences, or possible offences, which I shall have to describe to you were all committed by armed people. As far as I can judge from the official Reports in certain districts in the Province of Munster, which we are now dealing with, every farmer's boy, every farmer's son, and persons of that class seems to be armed with a rifle and revolver, and they certainly have been used freely in the commission of the outrages which I shall have to advert to."

That is the description furnished by the Judge of the state of things in August, and the change which took place in the condition of affairs in the autumn and winter. There are other circumstances which again led, at the close of last Session, to a certain amount of irritation and exasperation in the minds of the Irish people. I must say that, under these circumstances, men who ought to have known better took advantage of that feeling of irritation, and they instigated the people of Ireland to resistance of the law. Now, I have to remind the House of a speech to which, indeed, attention has formerly been called—a speech which, I venture to say, the leaders of the Land League cannot decline the responsibility. It was a speech made at this very critical time to which the Judge refers—in the middle of August—by the hon. Member for Tipperary (Mr. Dillon). Now, although I shall have to speak of the language of that speech, and of the conduct of the hon. Member for Tipperary with severe reprobation, I shall certainly not speak of the hon. Member himself with personal disrespect. The hon. Member for Tipperary is a man who has the courage of his convictions. He is not a man who advises the people one day to break the law, and who recants the next day, and disappears from the scene the third. There are others who have taken that course, and who remind me of no one so much as the gallant French sea captain whose exploits were sung in the *Anti-Jacobin*. His name was, I think, Monsieur Bon Jean, and the lines ran—

> "Bon Jean was a gallant captain,
> In battle much delighting,
> He fled full soon on the 1st of June,
> But bade the rest keep fighting."

[*Laughter.*] Yes, Sir; they do keep fighting; but, if I may say so without offence, with a spirit which is worthy of a nobler leader and of a better cause. But the hon. Member for Tipperary is not a man of that character. Although, in my opinion, his politics are dangerous and mischievous, he is, at least, a serious politician, of whose sayings and doings it is worth while to take some account. He is a recognized representative of the Land League, both in America, where the objects of that body are openly avowed, and in Ireland, where its designs are cloaked more carefully. Now, on the 15th of August, when the Land League was becoming active, and beginning, as I think has been amply proved, to change the condition of Ireland in respect of crime, the hon. Member for Tipperary, in a speech at Kildare, used this language—

> "The only way to achieve victory was to have organization in this country so close and so well knit together, that every farmer should belong to the branch of the League in the parish or townland in which he lived, and that all the young farmers and all the young men should be brought to attend the meetings, and to march to the meetings, and in proper order too."

Coming to details—and I would ask the House to mark these words—the hon. Member said—

> "Let them get two active young men—men who were not afraid of anyone—and let those young men go to every farmer on their townland and see if he would join the League. . . . Then it would be the duty of those organizers to tell how many men they could march to a meeting, and they should march those men like a regiment of soldiers."

The House will hear by-and-bye what those active young men, who were afraid of no one, did to induce people to join the League. The hon. Member afterwards explained the objects of the organization, which was to extend even to this House—

> "He believed that those in Parliament faithful to the cause of the people could paralyze the hands of the Government, and could prevent them from having such laws as would throw men into prison for organizing themselves. In Parliament they could obstruct, and they could set the people free to drill themselves and to organize themselves, and to take it out of the power of the police to arrest every man who was out after 8 o'clock at night. They in Parliament would see that every man in Ireland had a right to have a rifle, if he liked to have a rifle."

That is what is called Constitutional agitation. It is in favour of an organization of that description that hon. Gentlemen opposite appeal to the sacred principles of free discussion. Now, those might have been idle words; but what followed? In September crime began to follow that teaching, as it was likely—nay, as it was bound to do. In the succeeding months, as the organization became more complete, outrages became more frequent and more atrocious. The hon. Member for Tipperary, in his first speech on the suspension of the Habeas Corpus Act in Ireland, very frankly avowed that the law had not taken its course in Ireland, and said he rejoiced at it. Now, why did not the law in Ireland take its course? In my opinion, it was because the Irish people followed the recommendations of the hon. Member for Tipperary. The hon. Member, and those who act with him, have raised a direct issue between themselves and the Government, and also, I will venture to say, the Parliament of the United Kingdom—namely, whether or not they are to be allowed to paralyze the Government and obstruct the law. That is the direct issue; and the object of this Bill, and the Bill that has preceded it, is to decide that issue. Now, I am to show you what the consequence of the teaching of the hon. Member for Tipperary was, and how it was acted upon. I will just take one Return—the Return of 29th December—it is unnecessary to travel over the whole ground—and here I find some instructive examples of the manner in which the Irish people used the rifles which the hon. Member for Tipperary pledges himself that, whatever Parliament might do, they should still have. On page 9 it is stated—

> "Armed men visited the houses of several tenants on Lord Seaton's estate, fired shots, and warned the tenants against paying more than Griffith's valuation as rent."

Is that a Constitutional agitation for the repeal of the Land Laws? I go to page 12—

> "Eliza Reilly permitted a man named Hamilton to stack some of his turf in her yard on the night of the 9th of December. 1880. A party of men, one of whom was armed, visited her, and warned her to have the turf removed or they would burn her house down. They fired a shot when leaving. Hamilton would not join the Land League."

That is the way in which the active young men induced people to join the Land League. On the same page I find—

> "A party of men came into the yards of each of the injured persons, warned them to pay no more than Griffith's valuation, and fired shots when leaving."

On page 13 it is stated—

> "Matthew M'Namara got about one acre of land from his landlord which had been in possession of another tenant. On the night of the 15th of December a party of men called at his house, fired a shot through the window, and ordered him to give back the land, and to announce that he had done so at the next Land League meeting in Edgeworthstown."

I turn to page 14—

> "On the night of the 2nd of December, 1880, several shots were fired to intimidate Bernard Sandes, who had taken some land from which the previous tenant had been evicted."

On page 19 it is stated—

> "A shot was fired at night through Sinnott's window, slightly injuring his niece."

We heard a good deal under the last Bill of the crime of interfering, in any circumstances, with women; but I do not find that the chiefs of the Land League have had any scruples in that respect. On page 23 I read—

> "William O'Donnell, his wife, and six children, were sitting round the kitchen fire, when a shot was fired through the window. One of the children was struck on the cheek by a grain of the shot. O'Donnell had paid his rent, and would not join the Land League."

That is the police of the Land League. They fire shots through the windows of people who have paid their rents or who will not join the Land League. If a shot hits a child in the cheek, that is one of the incidents of Constitutional agitation. At page 27 of the Returns, an account is given of an armed party who knocked at the door of the Rev. M. Tomes in the night-time. The door was opened and shots were immediately fired. Mr. Tomes had been observed taking notes of a notice threatening any person with death who paid the usual rent, and, having informed the police, they removed it. On page 29 of the Returns the following outrage is reported—

> "A party of armed men visited Donovan's house at night, fired several shots, and put two notices under his door threatening him with death if he did not surrender a farm."

Again—

> "A party of armed men with blackened faces visited the house of M'Grath, and looked over all his receipts, &c., to see if he had paid more than Griffith's valuation for his rents."

In the course of the discussion on this

Bill we may, perhaps, hear something about the police of the land making domiciliary visits; but the police of the Land League have no objection to make domiciliary visits. Another outrage was thus described—

> "Three men were unlawfully driving cows off the land of the injured person's father. He called out to them to leave the cows after them, when one of the party fired at him; young Murphy, who had a pistol, returned the fire without effect. Murphy's father took a farm which had been surrendered by another person."

On the next page I read—

> "A numerous party, armed and disguised, entered the House of Jeremiah Donoghue and other farmers in the townland of Toneagh; they asked at each house if the owner belonged to the Land League, and if he paid more rent than Griffith's valuation, and on receiving answers that they belonged to the League and had not paid their rents, the armed party went away, firing shots in some instances."

Again—

> "Two parcels of dynamite, each weighing about 2 oz., were found at Donovan's outhouse, attached to two trees, one with a detonating cap; an explosion was heard, and shortly afterwards the thatch of an outhouse was found on fire. The attempt to explode the cap was a failure, as both the fuses were fired, but the dynamite remained. Donovan is a bailiff and rent-warner."

Then I read on page 38 of the Return—

> "Between 1 and 2 A.M. an armed party broke into Griffin's cabin, dragged him out of bed, and administered to him an unlawful oath as to his employment as care-taker of a farm from which the former tenant was evicted."

Another case is thus described—

> "At about 1 o'clock A.M. a shot was fired into Sullivan's house, which pierced the curtains of the bed in which he and his wife were sleeping at the time; his windows were broken, and a violent threatening notice was posted on his door. Sullivan had paid a portion of his rent."

I have now gone about a quarter through the book, but I will not weary hon. Members with further extracts; but I can assure them that what I have read are only samples of the rest. If hon. Members went through the book, they would find, page after page, the same history of these abominable outrages by armed men, threatening every man who did not join the Land League or suspend the payment of rent. In the month of December there were 73 cases of intimidation, seven of firing at the person, and 22 of firing into dwelling houses. It might be said that that was in the month of December, and it may be asked, what is the present state of things? I take up this morning's paper, and what do I read there? First of all I read of a horrible murder, and I find that—

> "A report has been received from Ballinrobe, that Mr. John Hearne, Clerk of Petty Sessions, and land agent to the Hon. Mr. De Montmorency, brother of the late Lord Mountmorres, was fired at about 3 o'clock on Monday afternoon, when within about 40 yards of his residence. He was proceeding home on foot from Ballinrobe, which is about a mile distant. He received six wounds, and was not expected to survive the night. No arrests have yet been made. A woman who was on the road at the time of the outrage states that she saw two men fire at him, but she does not know them."

This outrage is believed to be without doubt agrarian. It is also stated in today's paper that—

> "On Sunday night five shots were fired into Stonehall House, Crossmolina, the residence of Mr. George Scott, High Constable of Twrwilly. The shots were fired into the room in which Mr. Scott was sleeping, and the bullets and slugs were subsequently found embedded in the wall near his head. The police are now staying in the house."

We are asked to believe that these are not the doings of the village ruffians, and that the people who countenance and preside over these organizations and associations are the parish priests. I think, however, that the parish priest is getting tired of this business. I read in this morning's paper that at a largely-attended meeting at Mallow a letter was read from the Rev. Father Connor, severing his connection with the League, and assigning no reason. The reverend gentleman was denounced as a coward, who was afraid to face the Coercion Bill; but I should imagine that, as a Christian man, he is afraid to face the conscience of such deeds as these in any association with which he was connected. He was also declared to be a rogue, and, upon a poll being taken, it was determined not to return his subscription. I notice that, whether in America, or in Ireland, or in Paris, there is very great solicitude about the charge of the cash. Well, I also learn from this morning's paper that—

> "A series of daring outrages was committed on Monday night in the County Kerry. A band of 50 men, armed and disguised, visited several houses in the vicinity of Ballymacelligott, and demanded arms, and in some instances money. One of the first houses visited was that

of the Rev. Nicholas Foster, rector of Ballymacelligott. They also went to the houses of several farmers, whom they compelled to swear they would not pay more rent than Griffith's valuation. The marauders are stated to have taken away about 40 guns and some money. Two policemen appear to have been stationed at one of the houses visited for the protection of the occupier. They threatened to fire, and the party quickly withdrew."

These are the descriptions given of the state of things at present existing in Ireland, and this is the way in which the instructions given by the hon. Member for Tipperary last August have been practically applied. ["No, no!"] What did he mean, then, when he spoke of people having rifles and marching in military array? These outrages, it will be observed, are not committed on landowners alone. There is an opinion in some quarters that because people hold real estate they are not entitled to the same amount of protection by the law as people who are owners of personal estate. As a lawyer, I may, perhaps, be excused for demurring to that proposition, for, although there are some distinctions in the law which I should wish to see done away with between real and personal estate, I should always desire the owners of both kinds of property to receive the protection of the law. The police of the Land League do not attack landlords alone. They spare neither age nor sex. You will find that young women and old women have been attacked. We lately had an impassioned appeal in favour of wives from one of the hon. Members opposite, who spoke as a husband; but the police of the Land League have not the least regard for wives. This book is full of attacks upon herds for herding cattle, upon artizans, upon mechanics, and upon small farmers and tradesmen—upon everybody, in short, who will not serve the Land League. The question I have to ask the House is this—Is this state of things to continue? The hon. Member for Tipperary and his friends say that it shall continue, in spite of the Government, of the Queen, and the Parliament of the United Kingdom. [Mr. M'COAN: He did not say so.] In my opinion, as long as the people of Ireland are armed, as they are armed now, for the purpose of carrying out the teaching for which they were told to procure arms, that state of things will continue. The object of the Bill is to put an end to that state of things. And now I will briefly describe to the House what the Bill is. It is purely and simply an Arms Bill. It declares that—

> "It shall be unlawful to carry arms in any district proclaimed by the Lord Lieutenant by a proclamation he shall make for the purpose."

The general rule is that within a proclaimed district the carrying of arms is unlawful, except subject to such conditions and licences as may be provided for in the proclamation. The Bill will contain, as these Bills have always contained, power to search the persons and homes of those suspected to be in possession of arms unlawfully, and not according to the terms of the proclamation; but it will follow the rule of the Act of 1875 in this respect—that the hours of search will be limited to the hours between sunrise and sunset, and the warrants will be of a special character—that is to say, the person and the house to be searched will be named. We have, in fact, adopted the mitigated Code of the year 1875. Besides this, the Bill will give power to the Lord Lieutenant, by Order in Council, to prohibit and regulate the importation and sale of arms in Ireland. Of course, it would be desirable to interfere as little as possible with the legitimate trade in such things; and the Lord Lieutenant will, therefore, be able to alter these Orders in Council from time to time as he thinks the public safety may permit. Then I come to a material part of the Bill—namely, the penalties. In former Bills there were generally two forms of procedure—either by indictment, when there was a high penalty of two years and afterwards of one year, or by summary conviction. Now, in a matter of this kind, when you wish to take the dangerous weapons out of the hands of the men whom you believe to use them, I think you cannot employ too speedy a mode of procedure; and, if that be so, it is clear that indictment is not an appropriate method. We therefore propose a speedy procedure and a mild penalty, and the Bill provides for summary convictions and the imprisonment of the offenders for not more than three months without hard labour. In order to prevent objections that will easily occur to hon. Members, we propose, in adopting a summary procedure, that there shall always be a resident magistrate upon the Bench, either alone or with other justices; and, lest the Lord Lieutenant should abuse his power of issuing Proclamations and Orders in Council, it will be provided that the Proclamations and Orders in Council shall be laid upon the Table of the House. I may add that the Definition Clause of the Bill forbids, under the head "Ammunition," articles like dynamite and nitro-glycerine. We propose that the Bill shall remain in force for five years. Now, Sir, I know that it will be at once said that the Bill will not take all their arms away from the people. It is true, of course, that arms will remain in their possession hidden away; but there will be this advantage—armed gangs will not be able to march along the roads and intimidate people without running the risk of having their guns taken away by the police. This measure the Government present to the House as one that is urgent in its necessity, reasonable in its aim, and moderate in its penalties. In my opinion, it is a Bill the discussion of which ought not to occupy a very long time. Ever since 1847 there has always been an Arms Act in Ireland, and when the country is moderately tranquil the pressure is not felt at all. But when times arise like the present, and men teach the use of arms to the Irish people, then an Arms Bill becomes absolutely necessary to law and order. Why, Sir, the possession of these arms tempts men to use them. I think we may say of them, as King John says to Hubert—

"How oft the sight of means to do ill deeds,
Makes ill deeds done."

And I think I might go on to apply to the animate as well as inanimate instruments of this organizations the lines which follow:—

"Hadst not thou been by,
A fellow by the hand of nature marked,
Quoted, and sign'd, to do a deed of shame,
This murder had not come into my mind:
But, taking note of thy abhorr'd aspect,
Finding thee fit for bloody villany,
Apt, liable, to be employed in danger,
I faintly broke with thee of Arthur's death."

I should like to ask whether these misguided and guilty men have not some right to reproach with their silence those to whom they looked for counsel and teaching. May they not say of the leaders of the Land League—

"Hadst thou but shook thy head, or made a pause,
When I spake darkly what I purposed;
Or turn'd an eye of doubt upon my face,
As bid me tell my tale in express words;
Deep shame had struck me dumb, made me break off,
And those thy fears might have wrought fears in me:
But thou didst understand me by my signs,
And didst in signs again parley with sin."

Why, Sir, in the character of King John, as it seems to me, the great painter of human nature has left behind him a portrait that is true, generation after generation, of those criminal poltroons who, having incited others to crime, endeavour to shuffle off the responsibility upon someone else. I have detained the House too long. I ask the sanction of the House for a Bill that will injure and touch no one who seeks lawful ends by lawful means. I have a right to claim for it the support of those who profess to be the champions of Constitutional agitation. Pikes, revolvers, and dynamite are not the instruments of legitimate reform; but in such a state of society as has been created in Ireland, they are the secret armouries of treason and revolution, of the midnight brigand and the skulking assassin. It is against such persons that the Bill is directed. It leaves wholly unimpaired the resources of Constitutional agitation; and I ask the House, for the sake of the Irish people, for the reputation of a civilized State, for the honour of a Christian country, to take from the hands of these misguided men the implements of temptation to crimes which are darkly instigated and foully accomplished. I move for leave to bring in the Bill.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to amend the Law relating to the carrying and possession of Arms, and for the preservation of the Public Peace in Ireland."—(*Secretary Sir William Harcourt.*)

MR. O'DONNELL said, that the right hon. Gentleman had begun his speech by reference to the cases in the Blue Book in support of the Bill, and had concluded it by reading a studiously prepared, but singularly ineffective, peroration. He had also treated the House to a quotation from *King John*, which was inapplicable to the subject. The right hon. Gentleman had attempted to defend the introduction of this Bill by stating that it was a supplement to the Coercion Bill. It could not be so regarded. The Coercion Bill was introduced on the distinct ground that it was directed against a certain number of persons justly suspected by the police, and that there was no danger of its being wrongly applied. But this was a Bill of suspicion against the entire nation. It provided for searching for arms among the guilty and innocent alike. The right hon. Gentleman quoted Mr. Justice Fitzgerald, who made a speech by way of charge, which played very well into the hands of Liberal coercionists. The right hon. Gentleman admitted that outrages did not prevail to any great extent in Ireland till August last, and he traced the exasperation of the Irish people to a speech of the hon. Member for Tipperary (Mr. Dillon). But if the right hon. Gentleman were speaking last year, he would have attributed an increase of exasperation and outrage, not to the speech of his (Mr. O'Donnell's) hon. Friend, but to the action of the House of Lords. Now, however, in order to secure the co-operation of the Conservative Party, the right hon. Gentleman found it convenient to drop all reference to the action of the House of Lords. The right hon. Gentleman professed his admiration for the candour and courage of the hon. Member for Tipperary, as compared with the hon. Member for the City of Cork (Mr. Parnell). But the comparison was as unjust as it was unworthy. The hon. Member for the City of Cork having given erroneous advice, afterwards withdrew it; and the hon. Member for Tipperary, in somewhat similar circumstances, had done the same. Having made a speech in Kildare, which in the Ministerial view was susceptible of being taken as recommending cruelty to animals, the hon. Member for Tipperary took the first opportunity, both in that House and in Ireland, of repudiating any such meaning. The hon. Member for the City of Cork was not absent from any fear; he was absent on a mission confided to him by the loving confidence of his Colleagues — he was enlightening Continental Europe as to the falsehood of Liberalism in place. The Home Secretary had drawn a distinction between Land Leaguers who showed signs of skulking behind the scenes, and those who came openly and boldly to the front and took the responsibility upon themselves; but they knew, by the treatment meted out to the brave and candid Michael Davitt, what respect Her Majesty's Government had for bravery and candour. The Home Secretary fastened upon words spoken by the hon. Member for Tipperary in August last, when his hon. Friend recommended his countrymen to hold up their heads and not be afraid to look any man in the face. Englishmen had a right to carry arms, to drill, and to march in order; and the hon. Member for Tipperary told Irishmen in the open day not to be afraid to drill, to march in order, and to carry arms. That manly address was tortured by the right hon. Gentleman, throughout his whole speech, as if it meant midnight assassination and cowardly outrage. No charge against the Irish nation deserved consideration from such lips. The Home Secretary's speech was pregnant with mischief to Ireland, for it implied that the landlords were to continue their abominable tyranny, and no hope was held out to the down-trodden tenants. It was not the speech of the hon. Member for Tipperary that had caused the outrages which had stained the annals of Ireland during the last two months. That responsibility must be shared by those who now sat on the Treasury Bench. It suited the political convenience of the Government to placate the Conservative Party—to go all lengths in order to obtain the contemptuous forbearance of those whom they bitterly denounced last year; but they appeared to forget their own conduct so long as Irish discontent fell in with their Party purposes. It now pleased the right hon. Gentleman to say that Ireland was in open revolt against the law. What law? Only one law—the Land Law, which sentenced the honest Irishman to starvation and death. When the Government brought forward their measure of Land Law Reform—if, indeed, it should ever be forthcoming—however slight its character, its Preamble must be "Whereas the existing Land Law is unendurable and ought to be reformed." That was the accursed law against which the Irish people were in open insurrection. With regard to every other law the Irish nation were a virtuous and law-abiding people. The hon. Member for Tipperary told the people to act up to their Constitutional rights—to seek equipment, and arms, and discipline; but no single outrage could be traced to the rifle-bearing columns. It was a base and paltry idea to ascribe to a man like the hon. Member for Tipperary the intention of hounding on the people to midnight crime and cruel outrage. The hon. Member would have been in the House if it had not been for the carefully-prepared surprise on the Irish Party. For days it had been insinuated that the Arms Bill would be dropped, and thus had been secured the absence of the Members it was desired to calumniate. The hon. Member would not hesitate to inform the English nation that it was his desire to see the Irish nation in possession of national independence, in union with Great Britain on Imperial questions, but with a Citizen Army such as England possessed. To stab him behind his back with the paltry accusation that his advice to Irishmen to conduct themselves like soldiers was an exhortation to behave like cowardly assassins was a foul stain which would always attach to the memory and reputation of the Home Secretary. Mysterious and undiscovered crime was not confined to Ireland. There was no clue to the recent murder of a woman in the King's Road, Chelsea, and of an officer at Chatham. Scores of cases could be cited of horrible murders, the perpetrators of which could not be brought to justice. In regard to undiscovered crime, Ireland would compare favourably with any portion of Her Majesty's Dominions. This Bill was meant to be a real measure of disarmament, or it was meant to be a gratuitous offence to the Irish nation. If it was meant to be a real Bill, it should be capable of being applied in reality. It would be utterly ineffective for its alleged purpose if the search for arms was to be strictly confined to the day, when, according to the Government, it was in the night that illegal use was made of arms. The main object of the Bill seemed to be to support the Government policy of attaching stigma to the Land League, who, after all, would be the real authors of whatever was good in the forthcoming remedial legislation. There was bitter internecine rivalry between the Liberal reformers and the Irish reformers who had conducted the Land League agitation. The Land Leaguers got the start of the Government in organizing their agitation, while the Government were wandering over Europe in search of adventure; and the Government were surprised to find the field of domestic legislation occupied by Mr. Davitt, the hon. Members for Cork and Tipperary, and their associates. Thereupon they set about employing the machinery at their disposal to blacken the character of the Land League. The Bill would not have the effect of depriving any murderous association which might exist of a sufficient number of weapons to carry out their murderous work. In the case of an outrage cited by the right hon. Gentleman there was a large party, including one man armed with a gun; and there would still remain one gun at the service of 100 men who had half the 24 hours of the day in which to hide their weapons. This Bill would be used as an instrument to insult and wound the feelings of the Irish people; it would make village life almost unendurable; and it would have only one good result—it would make Liberal Administrations, if possible, more unpopular in the country. The right hon. Gentleman said arms would not be searched for at night time; no doubt the Government did not wish to interfere with the perpetrators of outrage who had already rendered such service. But respectable people could have their houses entered, the earthern floor of the kitchen dug up, the parlour carpet torn up, and the furniture knocked about by the local toadies and tools of the Irish magistrates, who would in this way gratify private spite and malice. What guarantee was there that this Bill would not be put into operation by persons like the Sligo landlord already referred to? The right hon. Gentleman had referred to one miserable case of a dispute between a priest and a Land League; but the priests and Prelates in Ireland, as a body, were in favour of the Land League, and by none would the wretched attack made by the Home Secretary on the hon. Member for Tipperary be read with greater scorn and contempt than by the priests and Prelates of Ireland. It was said that outrages still continued; seeing what human nature was, it would, indeed, be remarkable if they did not continue. The Government was doing all in its power to secure a continuance of that feeling in Ireland, which naturally had led to outrages. The Government had arrested Michael Davitt, whose voice day and night was raised against outrage; but though they had flung Michael Davitt into prison, the Irish people would never cease to feel grateful for the services Michael Davitt had rendered. The Government had stated openly that they did not intend to bring forward any remedial legislation until their Coercion Bills had been passed, and that being so, the course of the Irish Members was clear. They were in the House, not merely to protect the material interests of their country, but also to maintain its honour, which was attacked by these miserable projects of coercion. He did not, of course, know what would be the nature of the remedial legislation that might be proposed; but this he did know—that the Irish people would not accept any such project at the price of her previous degradation. The Irish Members stood there, as long as the Forms of the House would allow them, to exercise a remnant of Constitutional freedom in opposing the degradation of their country—the degradation which was contained in the projects of the Government, and such speeches as that which had been delivered by the Home Secretary. So far as he and his hon. Friends were concerned, as Representatives of the people of Ireland, they would unquestionably oppose the imposition of every fetter and of every manacle which the Government, in these coercive measures, were imposing upon the free action and free thought of the Irish people. Let the Government postpone their land legislation, and it would be worse for the Liberal Administration, and it would be worse for their landlord *protéges* in the long run. Let the Government persevere in their policy of brute coercion, and the Members from Ireland would know how to deal with the perjured Liberalism which came into Office with promises of amelioration on its lips, and which now clung to the Ministerial Benches by the aid of its political opponents, for whom not long ago it had no word of calumny too bitter or too reckless. Now it was in Office, and was called upon to fulfil its promise of remedial legislation. But the Liberal Government had found it more convenient to secure the aid of their hereditary political enemies in England by accepting, by borrowing their principles. In a speech full of misrepresentation the Government had introduced this second Coercion Bill. It was a Bill insulting to the Irish nation. It placed in the hands of a maddened magistracy and a panic-stricken landlordism and criminal tyranny of every description the opportunity of harassing and insulting every honest home in Ireland. So far as it went it was a Bill for the special protection of the disreputable class. It was a Bill for harassing men found pursuing their avocations in broad daylight, while it avoided all interference with the exploits of men who concocted murder in the night time, the period of outrage. It was the assassins in Ireland who supplied a Liberal Government with the wish for an opportunity of casting dirt at the reputation of the Reform Party in Ireland. The gratitude for the signal service rendered by the assassin in Ireland to Her Majesty's present Ministry, and the care with which the Government proposed to except midnight depredations from the purview of the Bill, was as singular a coincidence as had been noted in their proceedings either in or out of Parliament. The Home Secretary certainly did not display a very intimate knowledge of the ordinary law when he said that without a Bill of this kind the Government could not interfere with the marching of 50 men on the high road armed with bayonets and rifles on their shoulders. Irish Members had seen many specimens of the knowledge of the ordinary law displayed by the Irish Officers of the Government, and now the Home Secretary added one more to the number. Surely the right hon. Gentleman did not address such arguments to the Irish Party. It must have been addressed to the intelligence of the right hon. Gentleman's Liberal following. If, however, the intelligence of that Liberal following was to be tested by the arguments which the Government had thought fit to address to it, the estimate of the right hon. Gentleman was not very flattering to his Liberal following. In moving the rejection of the Bill, he (Mr. O'Donnell) did so in the interests of law and order. He was not in favour of exceptional facilities being given to midnight organizations as compared with the open and above board agitations carried on in the day time. The Irish Party were under no obligation to the party of assassination. They did not feel constrained to support their policy. They protested against that portion of the Bill, and they claimed a real right to protest against it from their point of view, which was an insult to the Irish people, inasmuch as it would worry, harass, and inflict moral torture, by bringing to bear a cowardly terrorism against every honest home in Ireland. At the same time, it was his firm conviction that long before the five years during which this Bill was to be in operation had expired the so-called Liberal Party would suffer much more from the course they had inaugurated than any section of the Irish people.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Major NOLAN said, the right hon. Gentleman the Home Secretary seemed extremely anxious to dwell upon the political character of the hon. Member for the City of Cork (Mr. Parnell) and the hon. Member for Tipperary (Mr. Dillon). He abused the hon. Member for the City of Cork very bitterly for being absent, while he indulged in extravagant praise of the hon. Member for Tipperary. He (Major Nolan) should certainly say that the censure bestowed upon the one was far safer than the praise lavished on the other. It was well known that a great number of people in Ireland considered that the hon. Member for Tipperary would be in some danger from the operation of the Bill which was now before the House of Lords, and which, probably, would be law before three or four days. They also knew that the Member for Tipperary was the gentleman who entertained an almost extravagant sense of honour; and he, therefore, believed that the speech of the Home Secretary would be sufficient to make him run still greater risks of being deprived of his liberty, so that the Executive, while loading him with praise, could at the same time put him into prison. That would be, from many points of view, a great calamity; but he could not help saying that the speech of the Home Secretary appeared to lead very much in the direction, because, while he praised the hon. Member for Tipperary at the expense of the hon. Member for the City of Cork, he was very careful to say that what he had been doing was illegal. He (Major Nolan) was not fond of giving advice to his brother Members; but he would very much prefer, particularly after the speech of the Home Secretary, to see the hon. Member for Tipperary present. He was sorry to say it had always been the policy of the larger number of the English Members of the House, and of a large section of the English Press, to praise the second man of the Irish Party. It had been their policy to praise anyone who was not actually leading the Irish Party for the purpose of depreciating the Leader, and he believed that had been principally the purpose of the right hon. Gentleman who introduced the Bill. He remembered that that had been the case with regard to the late Mr. Butt and Mr. P. J. Smyth in the last Parliament. The Irish Members, under existing circumstances, were not free agents in the ordinary sense of the word, and therefore, very great forbearance ought to be shown by their opponents in the House in criticizing their absence. They had been led to believe, by statements made in the Press, that this Bill was abandoned; but whether Her Majesty's Government changed their mind within the last three or four days, or whether a very considerable pressure had been brought to bear upon them from the Front Opposition Bench to bring in this Bill, he could not exactly say; but it was pretty generally believed that it was owing to the action of the Conservatives that they decided on bringing in this Bill at once. But whatever was the cause, the result was very unfortunate for the Irish Party. They had been treated very badly, and had no reasonable opportunity of bringing up their Members to vote on this Bill. As to the general policy of the Bill, he had great fault to find with the five years' clause. He doubted very much whether that Bill would have the effect of reducing the number of murders. It was quite impossible, in his opinion, by any precaution they might adopt, to keep arms out of the hands of people who were bent on committing assassination. But, in his view, the whole policy of successive Governments on that question of arms was an exceedingly bad one. It was injurious to the manly spirit of a nation to forbid the possession of arms; and he thought the Government should have permitted Volunteer Corps to be formed in Ireland, because they would have been under discipline, and the people would have got gradually accustomed to arms. If, however, they began by allowing magistrates only to have arms, they ought to have extended the same principle by degrees to the large farmers, and then to the smaller farmers and other respectable classes. Last year the democracy were suddenly allowed to obtain arms, at a time, too, when arms were very cheap all over the world. No wonder if the possessors of them acted like children who had a new toy, and showed it off a good deal. That was the fault of the policy of the Government more than anything else, and it did not warrant the introduction of this measure. He suggested that a certain description of arms might be taxed, that all descriptions might be registered, and that all respectable men might be allowed to have a rifle under certain conditions. During the last seven or eight years the policy of the English Government in regard to arms in Ireland had alternated between extreme repression and extreme laxity—a mode of proceeding which no wise statesman could look upon as sensible and judicious. He knew, however, this Bill would pass in the present state of feeling. The Cabinet did not seem to be very united, and he had observed that they were getting into the habit this Session of yielding to the pressure of the Conservatives, who were a more solid and compact body. The Government faltered a little whenever the screw was put on by the Leader of the Opposition, and went a good way in the Conservative direction. There could be no doubt, then, that the Bill would go through; and, that being so, he would ask his hon. Friends to allow it to pass on certain conditions—namely, that the Government would so modify the measure as that every man who had a vote should be allowed—if he so desired—to keep a fowling-piece, provided that what arms were kept should be registered. The effect would be to place arms in the hands of those who might be relied upon not to make a bad use of them, and to keep them out of the hands of dangerous characters. He was afraid, however, that the Government would not grant even that reasonable concession. The Home Secretary referred to speeches about using rifles and pikes, and asked was that Constitutional agitation. He agreed with him that it was not; but he was not sure that talking of the right to possess arms was open to that objection. There was no document more intimately associated with the Constitution of England than the Bill of Rights, and in that document it was laid down as part of the Constitution that every Englishman, being a Protestant, had a right to carry arms. He was sorry to say that he thought history would pronounce that Her Majesty's Government were very good Constitutionalists for England, but bad Constitutionalists for the South Africans and for Irishmen.

MR. HEALY congratulated the House that they had in the Home Secretary a more lively performer than the Chief Secretary for Ireland. The right hon. Gentleman had complimented the hon. Member for Tipperary on his courage, candour, and manliness, and had done so for the purpose of casting a reflection upon other Members of the House. The speech delivered last autumn by the hon. Member was declared to be wicked and cowardly; but his speeches now were candid, courageous, and manly. The right hon. Gentleman had laid before the House a number of so-called Land League outrages. He, for one, disputed the authenticity of the details given. They were compiled by the Irish Constabulary, and then doctored at Dublin Castle. Crimes of a far more serious character had occurred in England; but the Government dealt with them, not by repressive, but by remedial measures. On a former occasion it had been denied that outrages had been committed by trades' unionists; but he held in his hand the Report of the Royal Commission on the Sheffield Trades' Unions, in which it was stated to have proved that rattening had been largely resorted to by members of the trades' unions. The rattening was always done in the interests of the union, and commonly at the direction of the secretary. He challenged the Home Secretary to establish any such complicity on the part of a secretary of the Land League. Cattle were maimed, gunpowder was exploded, and persons were fired at, and yet there was no Arms Act for Sheffield; but inquiry was followed by remedial legislation. Irish Members naturally objected to the unjust application of principles to Ireland which the Government refused to apply to England under similar circumstances. The hon. Member proceeded to quote from the Report of the Commission their statement of the facts in a number of cases, when——

Mr. SPEAKER intimated to the hon. Gentleman that he was going at too great length into the case of the Sheffield Trades' Unions.

Mr. HEALY, resuming, challenged the Government to produce from Ireland cases half so harrowing as those that occurred at Sheffield; and there they went on for a number of years. With what conscience could the Government propose this Arms Bill, seeing that they did nothing of the kind to put down the outrages at Sheffield, which in magnitude and number exceeded those of Ireland? The Bill would be ineffectual for its alleged object. No man who had the inclination to murder would want for the tools of assassination through the Bill depriving him of them. If there were secret societies which prescribed the punishment of death, they would have secret armouries which the Bill would not reach. As to gatherings of as many as 50 armed men, they would constitute riotous assemblies which could be reached by the Common Law and by the Whiteboy Acts; and, therefore, special legislation was not needed to prevent them. A great many outrages were committed every year by Orangemen. Would the right hon. Gentleman give the assurance that the Bill would be applied to those persons? The prohibition of arms would tell very severely upon the Irish farmers, who would have no means of keeping down the wild birds and ground game which attacked their crops. The Home Secretary based his case on a Blue Book which had been produced so late that there had not yet been time to procure a refutation of its alleged facts. The Home Secretary, in fact, told them to pass the Bill first, and then study the reasons afterwards—much on the principle of hanging a man, and then trying him afterwards. The statement of the Home Secretary that the members of the League never denounced crime was absolutely inexact. They had constantly done so, though they had not chosen to do it precisely in the way which would please their English critics. He maintained that the language which Judge Fitzgerald had put in his speech was that of the authors of the Bill—the voice was the voice of Judge Fitzgerald, but the language was that of the right hon. Gentleman the Chief Secretary for Ireland. Members of the Land League had not been obtained by intimidation, as had been stated, but by the unjust laws which prevailed in Ireland. He did not thank the present Government for saying that no search should be made by night; on the contrary, that was a provision inserted in the Act of 1875 by the Tory Administration. This Act, unless remedial measures were passed meanwhile, would have to be renewed about the end of the five years over which it was designed to extend, from the same occurrences as those which it was alleged made it necessary now. It was always the old story—instead of finding out the sources of the crimes, and stopping them by ameliorative legislation, they had constant recourse to coercion. They had been promised ameliorative legislation, but were in the dark as to what it was to be, or as to when it was to come. They had been told, however, from the Treasury Bench, that crime and outrage in Ireland were entirely owing to the state of the Land Laws, and that the persons mainly responsible for agrarian crime were the landlords. There was never an agrarian crime committed by tenants that was not preceded by an agrarian crime by the landlords; and he would only say, in the words of the Chancellor of the Duchy of Lancaster, 10 or 15 years ago, that crime and outrage in Ireland were inevitable, if only as beacons and warnings to the Administration of the iniquity of the Land system there.

Mr. DAWSON said, the Home Secretary had laid great stress upon two classes of crime—the first being threatening letter-writing, which everyone knew could be increased to order; and the second, firing at the person and at property, which was also capable of explanation. In Munster, where Judge Fitzgerald delivered his famous Charge, there was no firing at the person in August; in September there was no firing at the person; in October there was one case. He would like to know how many there were in England? In November there was one case, and in December there were three. There had been firings in Ireland, no doubt. The great query was, who fired? It was a curious coincidence that while the police had been patrolling cases of that description occurred with alarming frequency. The Home Secretary said that they should now find parties of 50 or 100 men marching with arms through the country at night to attack persons obnoxious to them, and that they could arrest them red-handed in the act. Why did they not arrest those persons before? It did not require an Arms Bill to do that. Hon. Members had heard a good deal about Judge Fitzgerald's Charge. It should be remembered that Judge Fitzgerald was once a great patriot himself; and though he did not fire shots, he made very strong speeches before he ascended to the high position he now held. His Lordship read a threatening letter in Court, which contained French and other foreign languages, as if it came from an Irish farmer. Curiously enough, from August forward threatening letters steadily increased. In August there were three threatening letters; in September there were 10; in October there were 76; in November 183; and in December there were 211. Therefore, the reading of a threatening letter in Court had a wonderful effect. He had already told the Prime Minister that it was dangerous and unfair to say that threatening letters had increased in proportion to the meetings of the Land League; and he repeated now, that nothing could be more unjust than to deprive a whole people of their liberty because of the increase of a class of offence which could be regulated to order. The Home Secretary had told them that the hon Member for Tipperary (Mr. Dillon) advised active young men in that county to go about canvassing for the Land League. Why should not they do so? He had seen active young men in Dublin canvassing for much less laudable objects. Oh! but the hon. Member for Tipperary said every young man should carry a rifle. What was there reprehensible in that? Every person was anxious to exercise the right of a freeman to bear a rifle and arms in his native country. And it would be the proudest boast which Her Majesty's Government could make, if every Irishman was allowed to carry arms as a defender of the Law and the Constitution. They had heard that certain Members were almost instigated to use arms in that House. Well, the only appeal to arms in Parliament during his experience was made by the Speaker, when he invoked superior force against the Irish Members. The Home Secretary dilated with great force upon the danger of discharging fire-arms where there were numbers of women. Could the right hon. Gentleman, after all the use he made of his Blue Books and of the Land League, point to one single instance in the province of Munster, to which he alluded, where a woman had suffered a hair's breadth? The hon. Member for Wexford (Mr. Healy) had shown the right hon. Gentleman that in his own country—at Sheffield—women were not spared. He asked the House to wipe out the stain which the right hon. Gentleman had attempted to put upon his country, but which was unsupported by a single fact. If the right hon. Gentleman had a Blue Book prepared in reference to crime in his own country, he would be forced, from the argument he had used, to suspend the Constitution in England. Did he ever hear of dynamite? Ever hear of explosives being placed on railways in England? They had actually seen the right hon. Gentleman driven to support the case he attempted to make out in support of the Bill, which was announced in the Queen's Speech, by referring to outrages committed a few days ago. How exceedingly absurd and weak must be the case of the right hon. Gentleman, when he was obliged to appeal to newspaper reports of that very day to support a Bill which Her Majesty's Advisers thought necessary two months ago. Whatever occurred—whether crime increased or decreased—the Government had the hardihood to advance it as an argument in favour of coercion. They had been told that there were arms in the country. There might be. They knew how spies and informers, under previous Acts like this, found arms concealed in the thatch of the widow's cottage; how they got the widow's son, and only support, imprisoned and transported beyond the seas, and how it transpired after the unfortunate victims had died in exile, that they had never perpetrated the crimes, but that they were committed by those who swore their lives and liberties away. A sub-inspector holding an high position was tried for that in Dublin Castle, and his myrmidons were convicted and dismissed from the Force. But it was then too late, for their victims had spent years in exile. Really, this Bill out-Heroded Herod. There was some excuse for the tragic air of the poor Chief Secretary, because he found that a few sheep had fallen over a cliff, and that a few hairs had been pulled out of a horse's tail; but, really, the Home Secretary had thrown the whole question into ridicule, and they had how arrived at a stage when it was manifestly unworthy of the consideration of the House.

LORD RANDOLPH CHURCHILL ventured to congratulate Her Majesty's Government which he feared a few days ago he would not be able to do, on their having exhibited a certain amount of firmness of purpose with regard to this Bill. Within the last 48 hours the Arms Bill had been in great peril, and it was a grave question whether it would be introduced. Her Majesty's Government—who had very curious relations with the Press of this country—had circulated in one newspaper an announcement that the Bill would not be proceeded with; but they instantly qualified it by announcing in another paper that they would not give up the Bill, and the House was left in a state of uncertainty whether the Bill would be brought in or not. What had been going on in the Government was somewhat analogous to a process not unknown in Ceylon. When the Indian Government wanted to recruit its troop of elephants they sent out into the jungle old and tried elephants to seduce the young and untried ones into the official enclosure, and, after some violent struggling, the wild young elephants became tractable and, sometimes, even useful. Her Majesty's Government received a great accession of strength from the Radical Party when they took Office, and that Party, no doubt, contained Members of great intelligence, eloquence, and ability, but who were firmly impressed with the idea that they themselves were perfectly capable of reforming and governing the universe. It had always been difficult when a Government took in a Radical section to harmonize the section with Whig traditions and Whig ideas. This process, however, seemed to be going on with great care, and to have been conducted with some amount of success. The wild elephants were represented by the right hon. Members for Birmingham (Mr. John Bright and Mr. Chamberlain), the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke), and the right hon. Member for Sheffield (Mr. Mundella), who, if they had been asked the question 12 months ago as to whether they would have submitted to Bills of this kind, would have replied, as Hazael did to Elisha—"Is thy servant a dog that he should do this great thing?" The wild elephants had been greatly tamed by the overpowering Whig section, and appeared to have fallen into the ordinary common-sense methods of governing a country. It was clear, after the speech of the Home Secretary, that the Arms Bill could not now be abandoned; but it was also clear that no Business could be interpolated before the Bill became law, because the right hon. Gentleman had put forth all his strength to make out an unanswerable case for the Bill. He hoped the Home Secretary would excuse him if he did not find himself in a position to congratulate him altogether on his speech, which appeared to him to be provocative and defiant. He was not quite sure whether it was expedient, in introducing a Bill of this exceptionable character, and which must be viewed by a great portion of the Liberal Party with disfavour, if not with positive dislike, to assume such an attitude. No doubt, it was easy to be defiant; but they were now legislating under Rules of Urgency, and a defiant attitude might be taken up with far greater safety than if they were not legislating under such Rules. When the Home Secretary introduced his Hares and Rabbits Bill, he did so in a defiant manner. But there were no Rules of Urgency then; and before the Bill passed the Home Secretary was far tamer than any hare or rabbit. In taking up this defiant attitude the right hon. Gentleman was hardly politic, and certainly not generous. The Irish Members in opposition to the Protection of Person and Property Bill, after the lapse of seven weeks, had been trampled upon. They were told they had failed, and the Home Secretary dilated on the feebleness of the opposition with which this Bill was likely to be met. Now, he would ask Irish Members to contrast the tone of the Home Secretary with that of the right hon. Gentleman the Member for Gloucestershire (Sir Michael Hicks-Beach) when he introduced the Peace Preservation Bill of 1875. ["Oh!"] He recollected the last Parliament, and he used to think then that the Tory Party were impatient with Irish opposition; but he never saw the Tory Party exhibit one-tenth so much impatience as had been displayed by the Liberal Party. If they went over all the speeches of the right hon. Member for Gloucestershire when he introduced and carried through the Bill of 1875, they would find the most marked and favourable contrast to the speech of the Home Secretary in introducing this measure. The right hon. Gentleman said he wished to avoid matters of controversy, and not to be acrimonious. But he fell foul of the noble Lord the Member for Middlesex (Lord George Hamilton), and transgressed the Rules of the House in alluding to past debates. Then he fell foul of the hon. Member for Tipperary and the hon. Member for the City of Cork, who were not in their places to reply. If that was the right hon. Gentleman's idea of avoiding acrimony, he would like to know his idea of producing harmony. His belief was that the right hon. Gentleman had that evening delivered a speech which he had intended to deliver on the Protection of Person and Property (Ireland) Bill, but which the Government, in a state of nervous anxiety to get the Bill through the House, prevented him from delivering, and which he would not have delivered but that, the Chief Secretary having gone to Ireland, it fell upon him, as a matter of etiquette, to introduce this measure. The right hon. Gentleman raked up old speeches and paraded facts which the Attorney General for Ireland had dwelt on for four days in the Four Courts, which had been repeated by the Chief Secretary and by the Prime Minister. In fact, the right hon. Gentleman had occupied an hour and a-quarter in a speech which might have been delivered in 20 minutes.

MR. RAMSAY rose to Order. He wished to ask whether the remarks of the noble Lord were in accordance with the Rules of the House, or whether they tended in any way to elucidate the subject of the Arms Bill?

MR. SPEAKER: The noble Lord is replying to the speech of the right hon. Gentleman the Home Secretary.

LORD RANDOLPH CHURCHILL said, he could not but admire the chivalry of the Scotch Member in coming to the defence of the Home Secretary. A considerable portion of the right hon. Gentleman's speech had very little to do with the question of carrying arms. He appeared to forget that urgency had been voted for the measure he was introducing, and that the time of the House should not be taken up with matters which had been exhausted over and over again. The right hon. Gentleman also referred to the Blue Books which had been produced by the Government; but he might have remembered that those Blue Books had not been compiled with any very great care, and it was dangerous to invite hon. Members to treat them with microscopic inspection. The Home Secretary had to acknowledge with a very ill-grace that this was a mere renewal of the Peace Preservation Act of 1875. There was no part of that Act to which more importance had been attached by the late Government than that which related to the carrying of arms. This was the part of the Peace Preservation Act which could not be said to press hardly on anyone, for he could not recollect any case in which a man, having a legitimate use for arms, for sporting or agricultural purposes, and who could not be suspected of any intention to make an improper use of firearms, had been refused a licence. It was only the *mauvais sujets* that were refused. It would have been perfectly possible for Government to have introduced this Arms Act in April last by a most simple renewal clause, which would not have taken a week's discussion. If that had been done, and if the ordinary law had been administered with the same vigour in summer and autumn as in January last, there would have been no occasion for coercion. He looked on the Arms Bill as a necessary consequence of the very stringent and unprecedented Coercion Bill, to which it would operate as a check. If the Arms Act had been abandoned a great many arrests would have been made by the police on the suspicion of possessing arms. They must not expect to recover arms under the Bill. Search-warrants for that purpose would practically be of little use. Immense expeditions had been organized from time to time for that purpose. They had been carefully conducted with every kind of preparation and precaution simultaneously over large tracts of country, but they had never resulted in the recovery of any great number of arms.

No doubt, arms were possessed; but they would be hidden away very often in a manner which would tend to destroy them. The great importance of this Bill was that it would prevent the exhibition of arms, which was attended with so much danger. It was also of extreme importance to prevent the importation of arms, which was the life-blood of the Fenian movement. But the Home Secretary had given a very brief account of the Bill; and, therefore, he ventured to ask whether it was intended to revive *in toto* the Act of 1847? Then, with respect to the warrant for search, the Act of 1875 continued general warrants; but he now understood that the warrants were to be special, general warrants being liable to be abused. Warrants under the Act of 1847 were allowed to run for three months; but the late Government, always endeavouring to do away with the more objectionable features of such Bills, had modified the Act by reducing the time of the warrants to 21 days. He wished to know whether the Home Secretary had adopted the three months or the 21 days?

Sir WILLIAM HARCOURT said, he was obliged to the noble Lord for reminding him that he had omitted to state that he had taken 21 days.

Lord RANDOLPH CHURCHILL said, he was glad to hear it, and he must again congratulate the Government on having so slavishly copied the Act of his right hon. Friend the Member for Gloucestershire (Sir Michael Hicks-Beach). Then, as to the question of summary jurisdiction under the Act of 1875, the persons found in possession of arms might be either tried summarily or sent to the Assizes. If under this Bill a man was to be deprived of the opportunity of having his case dealt with by a jury, that was a departure from the former Acts, under which a man had the option of being sent to prison and awaiting a trial. This was more or less an abrogation of trial by jury for a new offence, which would require careful consideration. The present policy of the Government was satisfactory to the Tory Party. It appeared to him that the Tory Party, although in a considerable minority, for a considerable time had directed the internal policy of the Government in such an exceedingly satisfactory manner that the responsibility for any miscarriage would not fall upon them. They had some title to enlarge on this conversion of the Government to sound and rational principles, because it was their lot last year in various debates on Irish affairs to point out to the Government that these measures would be the inevitable result of the policy they had chosen. In the debates on the Compensation Bill he ventured to tell the Chief Secretary that the policy of mock conciliation, appeals, and bribes would inevitably end in a policy of severe repression. He did not recall those opinions with any idea of exulting over a fallen Minister; but he did it rather with the object of expressing a hope that as Irish affairs of great moment and importance would undoubtedly continue to occupy their attention for a considerable part of the Session, the opinions and arguments of Conservatives might possibly be treated with a little more respect and attention by right hon. Gentlemen opposite than they had any chance of obtaining last year.

Mr. BIGGAR said, the noble Lord who had just spoken had referred to the conduct of the right hon. Baronet the Member for Gloucestershire (Sir Michael Hicks-Beach), while Chief Secretary for Ireland in 1875, as conciliatory; but he did not think that description was quite accurate. [Lord Randolph Churchill: Comparatively conciliatory.] For his own part, of the present Chief Secretary and his two Predecessors, he preferred the right hon. Gentleman who was recently candidate for Cumberland—Mr. Lowther—for while the right hon. Gentleman was at Dublin Castle, he had no fault to find with the manner in which he discharged his duties. What had been said by the noble Lord about the Radical element in the Cabinet was justified by the fact. In dealing with the Blue Book, the Home Secretary dived into the middle of it, passing over the first few pages, in which there were scarcely any cases in which firearms had been used. And, with one or two exceptions, in the cases which had been referred to, the guns were not fired, or, if they were, no harm was done. He had never fired a gun or a revolver, and, therefore, he had no prejudice in favour of carrying or using firearms; but there were many in Ireland who had a fancy for using them innocently, or merely in bravado. The Government should understand that men in possession of arms might exhibit even gross rudeness without having any very vicious purposes in view. He had himself been surrounded by political opponents with deadly weapons in their hands, but they had done him no harm. There was one thing that pleased him very much in the speech of the Home Secretary. The right hon. Gentleman did not express his regret that he had to bring in a Coercion Bill; he did not add hypocrisy to his other sins. The right hon. Gentleman quoted the Charge of Mr. Justice Fitzgerald in justification of the measure; but at the time the learned Judge made that oration the number of serious crimes in the county of Cork was very small. He was not prepared to contend that Mr. Justice Fitzgerald was a corrupt Judge; but, when considering what weight ought to be given to his testimony, he could not forget that that learned Judge was a Whig partizan, who was likely to make out a good case in favour of the existing Government. The probable effect of this Bill would be that persons of a timid nature, who would never make a bad use of arms, would give them up; but persons of a vicious nature, likely to use arms for an improper purpose, were pretty certain to dispose of their arms so that the police could not get them, and thus the object of the Bill would be completely frustrated. His constituents were not greatly interested in this particular Bill, which would press far more hardly upon the extreme Protestant section of the population than upon the Roman Catholics. In fact, a good many of his constituents would be pleased to see the Bill become law. Nevertheless, he was disposed to vote against it on general principles. He thanked the right hon. Gentleman for the warm terms in which he had spoken of the character of the hon. Member for Tipperary (Mr. Dillon); but he thought that the right hon. Gentleman had fallen into some errors when criticizing the speeches of the hon. Member. It was not the fact that his hon. Friend had advocated the formation of an illegal society; he had advised organization, and, if he had mentioned rifles, had certainly not recommended that they should be put to an improper use. At any rate, his words did not justify the introduction of an Arms Bill. The right hon. Gentleman had laid some stress on the number of cases of firing—73 in all—that had occurred in December. He presumed that those figures formed part of the strong arguments on which the Bill was based; but, after all, only one person was wounded, and no other damage whatever was reported to have been done. He was glad to see that the Bill only gave power to search for arms between sunrise and sunset. That provision would get rid of much discussion similar to that which had taken place in the last Parliament. He did not think, however, that the right hon. Gentleman the Home Secretary had made out a case for the Bill, the instances of crime he had adduced on which to base it being too trivial to justify such a measure. He should, therefore, vote against its introduction.

Mr. E. COLLINS said, the noble Lord the Member for Woodstock, who had recently spoken, had referred to the fact that the right hon. Gentleman the Member for Gloucestershire (Sir Michael Hicks-Beach) had, when in Office, brought in a Bill similar to the present. The noble Lord contrasted the manner in which that Bill and the present had been introduced, and certainly the right hon. Gentleman had expressed much regret for having to deal with what he styled a very painful subject. When the right hon Gentleman introduced his Bill in 1875, the condition of Ireland, if not altogether tranquil, was, at all events, much more so than it was supposed to have been in the last two years. But although he did not absolutely complain of the present Bill, he must say that he disapproved it very much. It might, he thought, be very well dispensed with, especially after the severe and drastic measure which had just passed through the House. He regretted that it should have devolved on the Government to bring in this Bill as a supplement to the one to which he had alluded, and he could not help thinking that they might very well have deferred this measure to another period, and might have better employed their own great abilities and the time of the House in discussing another subject to which they were all so anxious to devote their attention.

Mr. BYRNE offered his strongest opposition to this Bill, and retorted upon the Government which had introduced it the charge which they lately brought against the Irish Members—namely, that they were delaying the remedial measures which were so necessary for redressing the grievances of Ireland. Instead of bringing in an Arms Bill, the Government ought to proceed at once with a Land Bill. The proposal to fix the duration of the Bill at five years was most unjustifiable, a year or 18 months being quite sufficient to meet all its professed objects. The people of Ireland would look on the action of the Government as intended utterly to grind them down. Their Constitutional liberties had been taken away, and now they were not to be allowed to carry arms. Where was that repressive policy to end? If it was pursued much further, the Irish people would be reduced to the position of slaves in their own land. He emphatically protested against this Bill, not because he was afraid it would do much mischief, as very few people in Ireland, as far as he could learn, had guns, but because it would deprive people of liberties to which they were entitled.

Mr. T. P. O'CONNOR said, the right hon. Gentleman the Home Secretary, in the speech with which he introduced the Bill, took credit to himself for both the possession of candour and of courage. He (Mr. O'Connor) did not wish in that House to discuss the personal courage of any man; but as the right hon. Gentleman had thought it appropriate to attack absent men, he felt justified in saying that a spirit of swagger and a tone of bluster from those who sat on the Treasury Bench were by no means satisfactory proofs of the possession of personal courage. He certainly hoped the right hon. Gentleman would be able to establish his courage upon a better basis than his candour. The speech of the right hon. Gentleman bristled with results, and was crowded with misrepresentations. There was a kind of dramatic appropriateness in giving the duty of introducing the Bill to the right hon. Gentleman, who, he firmly believed, would find it impossible to make a civil speech upon the most ordinary and commonplace subject. ["Oh!"] He was sorry that his observations did not commend themselves to hon. Gentlemen behind the Treasury Bench. If, however, they did not wish to have a repetition of them, they should endeavour to restrain the right hon. Gentleman in the use of provocative language, and adopt the advice once addressed from that side of the House to a previous Administration—to "muzzle" their Home Secretary. The right hon. Gentleman professed to take his facts at random from the Blue Book. He said that he would begin at the beginning of the Blue Book; but the first county mentioned was the county of Carlow, and in regard to that county no single case was given of the use of a gun. The second county was Dublin; in that case, also, there was no instance of firing a shot or of using a gun. The third—Kildare—was in the same position; in the fourth—Kilkenny—there was only one case; in the fifth—King's County—only one; in Longford, only three; Meath, none; Queen's County, none; Westmeath, one; and Wicklow, one. Out of 123 crimes in the province of Ulster, there were only nine cases in which mention was made of the use of firearms. That was the candour of the right hon. Gentleman. He certainly hoped the right hon. Gentleman's courage would bear better proof. In Munster there were 135 cases of outrage, in only 37 of which had firearms been used; in Leinster, 139 cases, and 10 instances of the use of a gun; in Connaught, 263 cases, in 32 of which the use of a gun was mentioned. He would leave the case of candour and the fairness of the right hon. Gentleman where they stood after this assertion of the true facts. The right hon. Gentleman still prided himself on the possession of courage as well as of candour; and, to prove his courage, he quoted a speech of the hon. Member for Tipperary (Mr. Dillon). But he (Mr. O'Connor) ventured to say that a grosser, or a more unfair, or a more prejudicial misrepresentation of the speech of an absent man was never presented to the House. The hon. Member for Tipperary recommended the young men of Ireland to form Volunteer corps. In the course of a few days the right hon. Gentleman the Secretary of State for War would give a glowing account of the noble and martial spirit produced in the country by the arming of young men for the Volunteer Force. If it was an ennobling thing in this country to see the ardour with which the young men volunteered for military training, surely there was nothing wrong in recommending the encouragement of the same martial spirit in Ireland. He pronounced no opinion as to whether the Volunteer Force was a good force or not. Indeed, he was somewhat of the opinion of a right hon. Gentleman who was formerly a Member of that House (Sir Robert Peel), that although he knew there were many fools in the country, he never knew who they were until he saw them in the Volunteer uniform. The hon. Member for Tipperary, in his speech, recommended the young men of Ireland to form Volunteer corps, and he was represented by the right hon. Gentleman the Home Secretary as having recommended the cowardly formation of bodies of assassins. What could be worse than accusing a man behind his back of inciting others to assassination! Yet, the right hon. Gentleman—this man of candour and courage—got up in his place, and, without the slightest foundation, charged an hon. Member with encouraging assassination. Such was the text of the right hon. Gentleman's speech, and he quoted from the Blue Book cases which he said were fair specimen cases. He (Mr. O'Connor) utterly traversed that statement. The cases selected by the right hon. Gentleman were cases of exceptional atrocity. Without knowing it, the House found that they had among them two distinguished melo-dramatists —first, the Chief Secretary for Ireland; and next, the Home Secretary, who, in introducing the present Bill had borrowed some of the dramatic effects of his right hon. Colleague. The Chief Secretary introduced the Coercion Bill by citing two or three cases of shocking and exceptional atrocity, and induced everybody to believe that when the Blue Book was published every page would bristle with similar cases. [Sir WILLIAM HARCOURT: Hear, hear!] The right hon. Gentleman said "Hear, hear!" He would test the accuracy of the statements made by the Chief Secretary by-and-bye; but he must be at liberty to select his own time. The instances cited by the Chief Secretary were given as fair specimen cases. The Blue Book had not been published then, and the Ministry, the Parliament, and the whole British public were pledged to coercion before it was laid on the Table. The Blue Book had now been produced, and, on examining it, it would be found that the horrible cases of outrage consisted principally of throwing down a few perches of an old wall, sending threatening letters, and maliciously spilling a barrel of coal-tar. In most cases the injury inflicted was most infinitessimal, and the malice open to doubt. The cases of atrocity were entirely exceptional cases, and cases where women had been exposed to injury were most exceptional. In most of the instances given, it would be found that a number of persons visited a farm-house in a secluded part of the country, that they frightened the inmates without absolutely injuring them, and, on going away, they fired a shot, not at any human being, but into the air. He would not contend that this was not an offence for which the offenders might be deservedly punished. But the habit of using firearms with recklessness was increasing in this country as well as in Ireland. He had heard the Home Secretary speak of the detestable practice of carrying revolvers in England; but he had never heard the right hon. Gentleman gravely propose in consequence that the house of every man and woman should be thrown open to his minions, in order that the revolvers might be seized and carried away. He (Mr. O'Connor) was inclined to believe that the detestable practice of carrying revolvers had been introduced into Ireland from England and America; but it was only in regard to Ireland that Her Majesty's Government proposed to deprive her subjects of the right to carry firearms. The right hon. Gentleman, in the course of his very extraordinary speech, gave the House some idea of the character of the Bill. But a misrepresentation purposely ran through the whole of the right hon. Gentleman's remarks—namely, that the men who had committed outrages in Ireland were the *employés* of the Land League. Now, he (Mr. O'Connor) was a member of that body, and he said deliberately that a more cowardly calumny was never uttered than the statement that these men, in any sense of the word, were encouraged by, or were the agents of, the Land League. The fact was, that the whole teaching of the Land League had been to wean the poor tenants of Ireland from that secret conspiracy and midnight assassination; and if it had not been for the Land League, the agitation which had been disturbing Ireland would have given 50 for every single murder that had been committed. Had they indulged in any of the arts of conspiracy? Had they not even ostentatiously proclaimed their principles?

Was there a single county in Ireland in which they had not done this on public platforms with all the publicity they could give, with police agents reporting their proceedings, protected by the League, enjoying its patronage, and supplied with more comfortable places for taking notes than some of the speakers had for delivering their speeches? The idea of accusing the members of the Land League of conspiracy was one of the most absurd notions that ever entered the mind of a Minister, and he had certainly heard a few that were very absurd since he became a Member of that House. The supporters of the Land League had not advised the people of Ireland to resort to the dark ways of assassination. They had told the people to use moral excommunication and social excommunication; but it was a system which was practised even by right hon. Gentlemen on the Treasury Bench. It was resorted to every hour in that House in this supreme moment of Liberal betrayal and apostacy. What hon. Member on the Liberal side of the House who had ventured to raise his voice on behalf of Ireland had not been "Boycotted" by his Party? They talked of social and political excommunication; but they were themselves the greatest of social and political excommunicators that existed. If they wished to find a real tyrant and discover true intolerance, let them go to the Party opposite who professed freedow and Liberal toleration. It was quite true that the Land League had recommended moral and social excommunication. But was it not the fact that the trade unions of this country did precisely the same thing? Every trade and profession in the country practised it. When the right hon. and learned Gentleman the Home Secretary was practising at the Bar, if he ventured to see a man in the interests of his clients without the intervention of a solicitor, he would have been "Boycotted." If any Member of that House who happened to belong to the Medical Profession took a smaller fee than the league of doctors permitted, he would soon find himself "Boycotted." If any member of that body which regulated all their electioneering proceedings, and selected the candidates—that excellent body of Conservatives known as the Reform Club—if any member of that body were to give a vote against Her Majesty's Government, he would at once be "Boycotted," and would soon find that it was a great deal more comfortable to be out of the Club than in it. The right hon. Gentleman said this measure was required as a kind of policeman in Ireland. No policeman was wanted. The National Land League, in the feeling of reprobation against the perpetration of atrocities which they had implanted in the breasts of the Irish tenants, had a policeman far better than any under the control of the right hon. Gentleman. It was the healthy sentiment they had implanted in the breasts of the Irish tenants that it was not well to overbid each other for farms from which persons had been unjustly evicted, and by that means to play into the hands of the landlords, that was the backbone and strength of the Land League movement. Not even the threats of the right hon. Gentleman the Home Secretary would remove the impression which the action of the Land League had created. He spoke of the threats of the right hon. Gentleman. Ever since this unfortunate legislation had been spoken of hon. Members representing Irish constituencies had just cause to complain of the tone and manner of the right hon. Gentleman. He would not say that the right hon. Gentleman intended to be offensive; but some men were offensive unintentionally, and, whether he intended it or not, the feeling which the right hon. Gentleman's speeches always produced was one of irritation and resentment. On this occasion the right hon. Gentleman, shaking the keys of his prison doors in the faces of the Irish Members, talked of establishing law and order in Ireland. Now, the Ministry did not want to establish law and order in Ireland. That was not their purpose; but he would tell the House what the object of the Bill and of its author was. Their object was to remove out of the way of the Administration the inconvenient rivalry of more powerful politicians than themselves and of more sensible plans of Land Reform than they were able to bring forward. They knew very well that the Irish tenants needed a larger scheme of Land Reform than the Whig and Radical combination in the Government could devise. They knew very well that the tenantry of Ireland were now associated and working together in a way that would render it difficult to put them down. Her Majesty's Government wanted to clear the board in order that they might pose as the saviours of Irish society, and that their Land Bill might have no opposition from the Irish tenants. That was their plan; that was their strategem. How could any man speak with respect of a Bill which would leave the midnight assassin untouched, and only gave the police the right to enter the houses of the people in broad daylight? The Bill was not a Bill to put down assassination or to disarm the Irish people. It was a Bill for the disarmament of the opposition. It was a mere tactical move. They had probably heard among dramatists of a stage-carpentry scene. It was not easy in stage-carpentry to have two large set scenes follow each other immediately. Accordingly, some person went on in front and delivered a soliloquy, which nobody understood or listened to, while the scaffolding of the first set scene was being removed, and that for the new one being set up. It seemed to him that the present measure was a mere stage-carpentry Bill. Either the right hon. Gentleman the Home Secretary had not yet succeeded in managing the Conservative opposition to the Land Reform, which, according to popular rumour, had been developing in the revolutionary mind of the Prime Minister; or the happy family had not yet had time to arrange their minor differences, and, accordingly, the stage-carpenters' scene of the Arms Bill was put on until the two Parties were ready, like stage lovers, to fall into each other's arms, and commence the comedy of professing their mutual affection and cordial agreement in principle. Perhaps there was another explanation of this Arms Bill. It might be that the right hon. Gentleman the Secretary of State for War had important proposals to make which might lead to a prolonged discussion, and a discussion that might not be very agreeable to the right hon. Gentleman and the Government. Her Majesty's Ministers desired to get the large and nebulous scheme for the future organization of the Army, to which such dark and mysterious references had been made, cleared off the board; and, therefore, his right hon. Colleague was making a bid for Conservative support by bringing forward this miserable Arms Bill, the pettiness of which was concealed under the swagger of the right hon. Gentleman. If that were the true history of the Arms Bill, what were they to say of the tone of the right hon. Gentleman the Home Secretary? It was his (Mr. O'Connor's) main charge against Her Majesty's Ministry for bringing forward this measure, that they were sowing the seeds of discord between the two countries, and he knew no man who was engaged more persistently, more unscrupulously, and more wickedly in sowing the seeds of that discord than the right hon. Gentleman the Home Secretary. Every speech the right hon. Gentleman had made on this question had been a distinct provocation to the passion of despair among the Irish people, and the passion of national hate among the English people. He had sought in every quarter for the wild ravings of foolish and wicked men, in order to drag men, to whom he knew these ravings were novel until they heard them from the right hon. Gentleman, into prison. He had sought to cast the responsibility of these opinions upon hon. Members who had risked their lives in times past in defence of Constitutional as contra-distinguished from revolutionary action. The right hon. Gentleman sought to drag these hon. Members down into the mire of revolutionary incendiarism in order to excite passion and prejudice against them. At that moment, his hon. and learned Friend the Member for Meath (Mr. A. M. Sullivan) was sitting beside him, a man whose life for many a day was in danger because of the bold stand he made against unconstitutional agitation. Then, again, there was his hon. Friend the Member for Longford (Mr. M'Carthy), of whom they had all some reason to be proud. Had his hon. Friend ever, by any single word or act, shown that he was in favour of any course but that of strictly tranquil and Constitutional agitation? So far as he (Mr. O'Connor) was personally concerned, he challenged the right hon. Gentleman the Home Secretary, or any hon. Member, to consult the notes of his speeches, which were probably in the possession of the Home Secretary from his police and shorthand spies, and point to a single passage among them in which by a single word he had insinuated that the people of Ireland should leave the broad and safe path of Constitutional agitation. The work which the right hon. Gentleman and his Colleagues had done in sowing the seeds of discord between the people of England and Ireland was a work that 10 years of conciliatory legislation by a different Ministry would fail to undo. He had himself vainly endeavoured—not that his humble voice could possibly have any effect against that of a powerful Minister like the Home Secretary—he had vainly endeavoured to protest against the evil work the right hon. Gentleman was doing. He had not hesitated to attend numerous meetings of his English fellow-subjects and attempt to dissipate the vile calumnies which the right hon. Gentleman was spreading. He told the right hon. Gentleman that no man could commit a higher offence than to excite the people of England against the people of Ireland, or to excite the people of Ireland against the people of England. [" Hear, hear ! "] He accepted that cheer with gratitude, because his withers were unwrung. He could point proudly to the fact that, when speaking hundreds of miles away from England and from that House, he had said to his countrymen—"I have spent 10 or 12 years of my life among Englishmen, and my feelings are those of esteem and respect for the English nation. But I have no feeling of esteem or respect for the English Ministry." In endeavouring to impress these views, he knew that at least the heart of the people of England and Ireland was sound; that the heart of the people of England would refuse to be led astray even by wicked appeals to bad passions. He repeated, that the highest crime a man could commit was to excite the people of one country against the people of another. To do so was in the highest sense of the word a criminal policy; and, if so, he was afraid that the uncomplimentary epithets which had been employed against the Irish Members must be cast back again upon the Members of Her Majesty's present Government.

Colonel MAKINS wished to express the satisfaction he felt that the Government had not abandoned the Arms Bill. Apart from the circumstances of Ireland at the present time, such a Bill was not, in his opinion, an objectionable one. Indeed, he did not consider that it would be objectionable for England either, seeing that the practice of carrying firearms had become so common that he had heard of many cases in which schoolboys went about with revolvers in their pockets. Why was it that the Irish Members were resisting this Bill so much ? For what purpose did they require arms ? Certainly not to use against the enemies of their Queen or the enemies of their country. They could only, therefore, require them to protect themselves against each other; and surely for that purpose the national weapon was sufficiently offensive. The speeches of the Irish Members had a very hollow sound; they sounded like the language of despair. In point of fact, hon. Members below the Gangway on the Opposition side of the House felt that the game was well nigh played out; but they were determined to pursue their old tactics of wasting time and obstructing Public Business as long as possible. [" Question !"] At any rate, that was his opinion. They had compelled the House to alter some of its Rules, and they had now succeeded in abolishing the observance of Ash Wednesday. [" Question !"]

Mr. SPEAKER: The hon. and gallant Member is not now speaking to the Question before the House.

Colonel MAKINS said, he would bow to the decision of the Chair. His only object in rising had been to express the satisfaction he felt that there was no intention on the part of the Government of abandoning the Bill. He should certainly vote in favour of its introduction.

Mr. A. M. SULLIVAN had hoped, a few days ago, that they had seen the last of the cruel contention which now, for five or six weeks, had arrayed the Irish Members against the Supporters of the present Government. Many of them who had taken a prominent part in that contention—some of them who had been in the hottest part of the battle—most warmly welcomed the close of the combat. They had fondly hoped that those who had been friends before might, in the course of a few days, learn to forget much of what had been said and done during the continuance of the struggle, and that a period of repose, and of peace, and, he might add, of returning friendship, was at hand, for the organs of the Ministry had given out that satisfied, as they well might be, with their savage and merciless Coercion Bill, Her

Majesty's Ministers intended to repose, as it were, upon their blood-stained laurels —["Oh!"]—and seek no further glory in triumphing over the Irish people with all the might of their Ministerial majority. The dream that they had seen the close of the cruel war had been rudely dispelled, and even the Ministerial journals—the journals which received communicated leaders from the Treasury Bench—for, in this respect also, Napoleon III. had furnished a model to the present Government—even the Ministerial journals, supplied with Ministerial pap from the Home Secretary's Office, gave forth to the world the pleasing intelligence that, now the Government had passed the Coercion Bill, it was by no means certain that it would be necessary to take up the Arms Bill. Accordingly, Mr. Speaker was allowed to rise in the Chair and to sever, with a stroke of his authority, that marvellous "urgency" which had been declared for the benefit of this Bill. But the illusion had been dispelled. A mysterious change had come over the political atmosphere of Downing Street, and Her Majesty's Ministers had, for some reason, thought better of it. There was no doubt that they had meditated the abandonment of the Bill; but, with miserable vacillation, they had thought since that they should like another change of front. Why was this? It was whispered in the Lobby that it was all a bit of stage-play—that the people of Ireland were not to be hurt by the Bill at all; but that it was a blind for the Tory Party. It had been made very clear to the Government that unless they kept their pact with their Tory masters, whose policy they were carrying out, they would see a change on the Front Opposition Benches, and, in plain language, the question had been put to them—"Do you mean to break away from your noble pledges of coercion; can it be possible that you have deluded us into supporting you in a measure of urgency and that you are going to give us no reward?" Even that night there had been indications of the same character from those hon. Gentlemen who were enabling the Home Secretary to carry out this Bill, which it had been the intention of the Government to abandon on Friday last. The Government, therefore, had set up again that evening the urgency which had been severed on Monday, having, so to speak, marched up the hill, and then marched down. The present Bill was brought in in order to keep faith with the Tory Party, and the Irish Members were told that the Bill, having been lightened exceedingly, was not to hurt them, but to please the Conservative Opposition. To such miserable expedients could a Ministry sink after having abandoned their principles to carry out the policy of their foes. He declined to accept the statement of the Home Secretary with regard to the harmlessness of the Bill. On the contrary, he resisted the measure, although he was prepared to admit that it had been shorn of one feature that would have made it most hateful and objectionable to him—namely, the power of making midnight domicilliary visits. Some of his hon. Friends had intimated that a tender affection for the midnight assassin was a reason why this had been struck out of the Bill; but, however that might be, he was glad that this hateful and miserable expedient was not to be again resorted to. In removing it, the right hon. Gentleman had shown that he was contented with the coercion precedents of his Tory opponents, so far as this measure was concerned. Nothing could have been more objectionable than making provision for searching the homes of the Irish people at the dead of night. But the Government were about to complete the mischief which their policy was doing in Ireland. They had first stripped the people of all Constitutional protection; they had given the power of striking the people with a mysterious terror—the power of unlimited arrest—and they had given the power of depriving the people of confidence in justice, and in the belief that innocence could be a protection, because the most innocent man in the country would not be able to make his innocence heard. Guilt and innocence were thereby put upon the same level; and in order that there might be wanting no hateful cause of irritation, the police by the present Bill were to be brought upon the scene under circumstances most likely to lead to conflict and bloodshed in the country. The House was now asked to give the police authority, under the pretext of searching for arms, to enter into actual struggles with the Irish people on the floors of their houses in the Western and other portions of Ireland. If that did not succeed in bringing forth its bloody crop of conflict and outrage to make the justification for the Coercion Bill which the Government wanted, all he would say was that effect would not follow cause. If that effect did not follow, it would be due to the exhortations of men now sneered at on the Treasury Bench—Land League leaders, numbering amongst them the Catholic clergy of Ireland in a large measure; men accustomed to be reviled in this country, but who it was certainly new to hear calumniated in language used against them on the Treasury Bench, as "confederates in assassination." It was an easy thing to make use of grandiloquent language. With 300 docile Members behind one, it was easy to mount on the stilts of the Home Office; and especially was it easy to be brave behind the backs of absent men. After the language held forth with regard to the Land League leaders and their "confederates in assassination," he thought the Home Secretary should know that the persons he had calumniated were men but for whom all the police in Ireland would be useless. They numbered amongst them the Mayor of Limerick City, as well as some of the most eminent Catholic Ecclesiastics in Ireland. Such were the men with regard to whom this language had been used. Did the Government or the House believe they were about to pacify Ireland by a measure passed with such bitter language as that? He would imagine for a moment that the Government were sincere in their desire to tranquillize the country. Would it not have been one chance of success to win to the side of order and law every element of strength and moral support that they could command in Ireland? Would it not have been a wise and prudent policy to use moderate and conciliatory language on the Treasury Bench, and to rally to the support of the Government the Protestant and Catholic clergy in Ireland? But the Government had pursued a contrary course. The language held forth by them had sought out every wound that could be made to rankle; every man who could be personally affronted had been insulted by speeches made on the Treasury Bench. Members of the House had been scowled at amidst the jeers of too many hon. Members opposite; and insults had been hurled against men in that House which no one dared to utter against them in the Lobby. The last insult to Irish Members had been given by the Home Secretary, who, within 24 hours of his receiving this Bill, had become exceedingly un-Parliamentary in his language. Now, he asked the House to consider the position of affairs. The Government might deceive themselves for a moment; but the hour of reflection must come for them. Did they not know they were making war upon the Irish people by means of this measure? They would say they were only making war on a faction — a faction or a Party. He invited the Government to ponder this serious question. It was not only those hon. Members near him who opposed this Bill. If they were not listened to as Members for Ireland, where, he asked, were the men who could give the Government a warrant to pass this measure? Where were the non-Home Rule Liberals of Ireland in these Divisions? Let not the Government say that by this measure they were not drawing the sword of war in Ireland, and that they were warring with a faction only. It was with Ireland, as a whole, taken through its Constitutional representation, that the House was warring by means of this Bill. Again, he asked, how many of the 103 Members which Ireland sent to Parliament followed the Government in these Divisions? The Government had found their strength in that section of Irishmen who hated their policy—from the Tory section of Irish Members who were true to their principles, which the Government were not—and they were, therefore, face to face with the fact that there was no test which could be applied to the expression of a country's will, mind, interest, or views, that was not against them. But the Government had to deal with a Constitution which would take cognizance of the Ireland that was represented on the floor of the House of Commons. No doubt, they ought to take cognizance of every element of society in Ireland; but the actual Ireland they had to deal with was that presented by Constitutionally-elected Irish Members. If the Government had paused on Friday night, many Irish Members would have been glad that an end of this business had been reached. There was no need that the work, which would not only injure Irish Members, but other hon.

Members opposite, should have been carried to this bitter extremity. Again, the feeling with regard to the Bill in Ireland had been proved by the Municipal and Poor Law elections, so that there was no test known to the Constitution of the Realm by which the voice of Ireland could make itself heard, that was not against the Government. But it was said that all the lovers of order, and the best elements of society, were against the Irish Representatives. That was the story which the followers of Henry V. told in France. Her Majesty's Government must face the fact that they were absolutely dealing with Ireland to-day as the Emperor of Russia had dealt with Poland. He did not say this for the purpose of taunting them; but for the purpose of serious argument that would have weight, not that night, but hereafter. As he had said before, he and his hon. Friends would have been glad if an end had been made of this work last Friday; but, instead of that, they now found the Government had driven them to their last position in the House, with their backs, so to speak, to the wall —they found there was no resource of arbitrary Parliamentary despotism which had not been used to crush their country on the floor of that House. He denied the competency of the House morally to introduce this Bill against the pronounced will of the overwhelming majority of Irish Members in every Division. The Bill might be forced upon his country; but it could never be made obligatory upon his conscience. Irish Members had been driven to a position in which, if they had the spirit of men, they would, at least, turn to consider how they were to defend themselves, and assert the power of their country in an Assembly which disregarded every consideration of political weight in dealing with Ireland. Was it worth the while of the Liberal Party to so embitter matters as to dig a gulf between them and hon. Members who came from Ireland? He could not join with some of his Colleagues, who seemed to speak with affection of Members of the Opposition above the Gangway because of their natural enmity to the Government and hon. Gentlemen opposite. He was too candid to say that he did not regard those Conservatives as greater culprits than hon. Members opposite who were carrying out the policy of coercion. All he would say of them was that they had the courage of their convictions, and were wise in their generation, availing themselves of the opportunity when they found a majority willing to carry out their views. For himself, he would declare that it was with pain and regret that he saw this gulf dug, in so large a degree, between the English and the Irish popular Representatives. He would assure hon. Members opposite that with the passing of this Bill, that which was possible on Friday would have become impracticable, and that the determination of the Irish Members would have become formed, and their policy accepted. Let it become known to all whom it might concern, that all the Irish Members proposed to themselves, as rational men to do, with regard to the Coercion Bill, had been accomplished through their perseverance and courage. With all the power of this House, the Irish Members had been able to effect a certain amount of protection, the utmost they could have reasonably aimed at, for their countrymen. This should be his last as well as his first word, on every stage of the present measure, that he believed it to be unnecessary. He agreed with the right hon. Gentleman the Home Secretary in this, that the present was a very small measure; but, small as it was, it would be a most irritating, a most offensive, and a most insulting Bill to the Irish people. For his own part, he had no sympathy with men who, for purposes of armed resistance to public authorities, provided themselves with arms and munitions of war. They who played at bowls must expect rubbers, and he who prepared to strike against authority could not complain when repression came upon him, for all constituted Governments would defend themselves from attacks such as these. He had said nothing on behalf of these people. He did not wish, either, to enter into any personal matters with the right hon. Gentleman opposite, because personal considerations should be put aside in an affair of this sort. The measure must take its chance as a measure of repression; but he would call attention to this fact, that through this Arms Bill Ireland stood before the world as a reproach to Great Britain, as she did when the King of the Two Sicilies, on receiving a despatch from our Foreign Secretary, threw her in the face of that official. From the

North to the South of Europe there would not be a country in whose internal affairs we could take an interest without her replying—"You have a country under your own sway in which you dare not trust the people with arms, whose Representatives you silence and expel from your Legislative Chamber, and to whom you do not allow the first principles of Constitutional Government." Let England no longer talk of the Czar, or the miserable King of Ashantee—she must abandon that which was once her proud boast, that she was the example, the model, and the propagandist of National liberty from the North to the South of Europe. The day for such a boast had gone by. Ireland now, 80 years after the Unification, was in the miserable plight that she was in when the flag of Bonaparte was flying over Europe, in spite of the cry raised in England for Constitutional liberty. Was not this a disgrace to all their English statesmanship? How far had they progressed in the course of conciliating the Irish nation? What were her conditions and her relations with this country in 1813, and what were they now in 1881?—the Constitution was again suspended, the right of carrying arms again denied. Let them remember the liberties their fathers had won for them. What remained to the Irish people of those liberties now, save the one right the Irish Representatives exercised here in the House of Commons?—and he thought, without egotism, he might say that the small band of Irish Representatives had shown England and the world how to arrest a Bill which trampled the liberties of a country under foot. For his own part, if his public life were to end to-morrow, there was no chapter, the recollection of which would afford him more pride than that in which it was permitted to him to be one of the handful of men who—as was once said of the British Army—"Never knew when they were beaten." There they stood, a few men against hundreds; but with a nation at their backs, and the sympathy of that nation, not alone upon the Irish shore, but that nation stronger than the one at home, scattered wherever the British flag floated, and that still stronger one living beneath the protection of the Stars and Stripes. There were millions of the Irish people at their back. He would put it to every man who was a statesman—and there were many of eminent ability amongst them—he would put it to anyone of reflective mind whether it could be a wise policy in the interest, either of England or Ireland, to persist in a constant warring between the two countries? He would put it to every reflective mind whether it could be a wise policy that had made the Irish millions all over the world burn, as they unfortunately did, with such hatred for the power of England? Why should this be? Why should they not, by a policy of conciliation, make of these men, all over the habitable globe, lovers of their power and sympathizers with their greatness? As to what Irishmen abroad were doing to-day, let them ask the Under Secretary of State for Foreign Affairs how many of the Legislatures in the United States had publicly passed Resolutions of sympathy with the Irish Members in their struggle here against the Government? How many of the Legislatures of that great Republic which would soon divide with England the Empire of the English-speaking world, in formal assembly, had passed resolutions sympathizing with the Land League—for which the right hon. Gentleman the Home Secretary had nothing but words of scorn and contumely—and with that man, the Leader of the Irish Party, who had been insulted in his absence? There was this to be said, that the Congress of America and the Senate, the highest Assembly of the power and the political greatness of that glorious Republic, had paid to Mr. Parnell a compliment never extended to Princes of this country—the compliment of inviting him to the floor of their House and giving him a hearing there to plead the wrongs of Ireland. Had they not reached the end of this sorrowful chapter? Were the Irish Members for ever to be speaking in these tones on the floor of this Assembly? Why was it they were repeating history to-night? Let them open the pages of any record of the proceedings of this Chamber, and let them say whether this tone of complaint of want of conciliation on the part of the Irish Members was not to be found in every decade from the year 1801 to the year 1881, and let them say whether, correlatively, was not to be found some Coercion Bill, some Arms Bill, some Arms Bill, some Coercion Bill, for Ireland? He would invite the

Government to turn over a new leaf, to burn their Arms Bill, and produce their Land Bill. Do not tell him about pacifying Ireland—he knew a little about the country. The production of a satisfactory Land Bill would paralyze disaffection in Ireland, and would do more than 100 Coercion Bills to bring peace and contentment to the country. For this he would cite as his authority the Irish Liberals, for they, too, knew their country. He would cite the hon. Member for Monaghan and another Irishman, although he held an official position, the Attorney General for Ireland, or he would take his authority from Ulster alone, leaving out, for the moment, the rest of Ireland. The feeling was unanimous that a good Land Bill would put an end to disaffection. It was no pleasure to him to have to speak in that House in the tones and with the sentiments that had been wrung from him within the past six weeks on this matter. On Friday night he had gone home blessing Providence that it was all over — thinking that they might shake hands and be friends again; but it was all a dream. They were on the verge of another chapter of hateful strife, because they might depend upon it the language used to-night had had its effect, and the Irish Members, who had been over-mastered in every division, crushed by the laws of Parliament to put down the minority, small as they were, yet knew how to face an unequal contest, and to dare everything in defence of their country.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Sexton.*)

The Marquess of HARTINGTON: I hope the House will not assent to this Motion; but that it will determine to conclude this debate to-night. If we may judge from the tone and character of most of the speeches recently delivered, it appears to me that there is not material for another discussion. I have heard a great many of the speeches which have been delivered to-night, and many of them have come from hon. Gentlemen opposite. From that quarter we have heard eloquent speeches, especially from the hon. and learned Member for Meath (Mr. A. M. Sullivan), who has just sat down; but we have heard extremely little of the proposal of the Government, or of the necessity, or want of necessity, for an Arms Bill. We have heard a great deal of criticism of the speech of my right hon. Friend the Home Secretary, a great deal about the relations of the Government to the Press, and about an imagined change of front in this matter. We have heard a disquisition by the hon. Member for Galway about a guilty compact with rival factions that is supposed to exist, and we have heard a great deal from the hon. and learned Member for Meath declaring that the Government may rest on what he is pleased to call their "blood-stained laurels." The hon. Member for Galway gave us 20 minutes of description of the various forms in which "Boycotting"—political and social—was practised—[Mr. T. P. O'Connor: No; only seven minutes on that subject.]—and the hon. Member then gave us a disquisition upon stage carpentering; but of arms, and the necessity for this Bill, of the allegations that are made as to the general armament of the people of Ireland, and of the armament that has been recommended to the people by some of their leaders, we have heard very little indeed. We have heard nothing about the alleged intimidation — intimidation largely practised by armed parties. We have heard scarcely anything about all these matters, and the discussion has turned almost entirely upon matters irrelevant to the subject of this Bill. Now, let me remind the House that it is not in accordance with usual practice to debate at great length the introduction of a Bill. I do not think there will be any disposition on the part of the House unduly to curtail discussion on the principle of the Bill when the stage of second reading is reached; but I must say I think the House will expect that the discussion on that stage of the Bill will be confined a little more closely to the subject than it has been to-night. It is not unreasonable to ask that one whole night should be considered sufficient for the discussion of the introduction of a Bill which is not of an extraordinary or unusual character; which is, as I reminded the House the other night, only a portion of an Act in force this time last year; the character of which was thoroughly known to the House, and which does not afford scope for the unlimited discussion which hon. Gentlemen opposite seemed inclined to give it. I hope, therefore, that the hon. Member will not persevere in his Motion for the adjournment of the debate. If he is not induced to withdraw it, I trust the House will not assent to it.

Mr. JUSTIN M'CARTHY hoped his hon. Friend would persevere with his Motion for adjournment, and trusted the House would have the good sense and fairness to assent to it. The noble Lord who was now the Leader of the House had said that he had heard very little practical discussion as to the actual points of the Bill; but he (Mr. M'Carthy) had been in the House during the greater part of the night, and had heard a great deal of very practical and close discussion on the points of the measure. But he agreed with the noble Lord that the actual measure itself was not so closely and fully discussed as it well might have been. Who was to blame for that? The right hon. Gentleman the Home Secretary was decidedly responsible. It was he who, in the beginning of the evening, led the House away altogether from the practical reasons for which the measure, presumably, was introduced, and made the greater part of his speech a series of strictures upon hon. Members, some of whom were present and some absent. The right hon. Gentleman had made an attack upon the Irish Members, calling them the confederates of the men whom he himself described as inciters to assassination. It was that that had turned the discussion away from its reasonable and proper path, and had compelled hon. Members to rise in their places to reply to his extravagant and unjustifiable calumnies. ["Oh!"] He (Mr. Justin M'Carthy) could use no words less strong than these to describe the conduct of the right hon. Gentleman, who got up deliberately and, having described certain men as assassins and persons who incited to assassination, went on to speak of their confederates, the leaders of the Land League. It was impossible, after a speech such as that, for the Irish Members, or the friends of the leaders of the Land League, to turn away to the calm discussion of the measure, and leave the character of those absent and honourable men under the stain that the right hon. Gentleman had endeavoured to set on them. He would tell the noble Lord who led the House that he was mistaken in supposing that it was usual to allow the first reading of a Coercion Bill to pass without discussion. However it might have been in the feeble days, when there was no organized Irish Party, it was not usual in other days. If the noble Lord would turn to history he would see he was mistaken in supposing that it had been the practice to allow a Coercion Bill to be read a first time without discussion. He (Mr. M'Carthy) only now rose for the purpose of showing why the discussion had not been kept so closely as it might have been to the points of the Bill. The Home Secretary was solely responsible, and had, in his speech, done as much mischief as it was possible for any statesman, under the circumstances, to accomplish. It might be said of the right hon. Gentleman, as was said formerly of a much greater statesman, that it had rarely fallen to the lot of any human being to do so much good as in the course of one single night he had prevented.

Question put.

The House *divided*:—Ayes 21; Noes 202: Majority 181.—(Div. List, No. 100.)

And Mr. Speaker, having stated that he collected from the last Division that it was the general sense of the House that the Question be now put:—

Motion made, and Question put, "That the Question be now put."—(*The Marquess of Hartington.*)

The House *divided*:—Ayes 200; Noes 22: Majority 178.—(Div. List, No. 101.)

Original Question put.

The House *divided*:—Ayes 196; Noes 26: Majority 170.—(Div. List, No. 102.)

Bill to amend the Law relating to the carrying and possession of Arms, and for the preservation of the Public Peace in Ireland, *ordered* to be brought in by Secretary Sir William Harcourt, Mr. Gladstone, and Mr. William Edward Forster.

Bill *presented* accordingly.

Motion made, and Question put, "That the Bill be read a first time."

The House *divided*:—Ayes 188; Noes 26: Majority 162.—(Div. List, No. 103.)

Bill to be read a second time *To-morrow*, and to be *printed*. [Bill 98.]

ORDER OF THE DAY.

INDIA OFFICE (SALE OF SUPERFLUOUS LAND) BILL.—[BILL 91.]

(*Lord Frederick Cavendish, the Marquess of Hartington, Mr. Shaw Lefevre.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Lord Frederick Cavendish.*)

MR. FINIGAN said, he objected to the second reading of this Bill, which concerned a large area of land, being taken at that hour (1.50). Of late there had been a great deal of jobbery with respect to the purchase of land, and it was quite open to suspicion that the Bill might practically be due to that cause. In the absence of any explanation, he did not see why the Bill was brought forward, and was, therefore, opposed to the second reading.

MR. HEALY pointed out that hon. Members had been induced to postpone their Bills, and the time was now being used by the Government for the purpose of putting forward a Bill of their own. As no explanation of the measure had been offered, he objected to the second reading.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Healy.*)

LORD FREDERICK CAVENDISH said, he should have certainly made some explanatory statement had he not believed that the Preamble of the Bill contained all information that could be desired. The circumstances were that the India Office bought the land in question for their own purposes; and, having decided that they had no further need of it, they offered it to the Government in connection with the extension of Public Offices. It was agreed that the question should be referred to arbitration. Accordingly, arbitrators were appointed, and an award was made, settling the amount of money to be paid. It had been subsequently discovered that the India Office was unable to sell the land without an Act of Parliament, and the present Bill was introduced to complete the arrangement.

Question put.

The House *divided:*—Ayes 9; Noes 78: Majority 69.—(Div. List, No. 104.)

Original Question again proposed, "That the Bill be now read a second time."

MR. REDMOND: I beg to move that this House do now adjourn, and my object in doing so is this—that if the Bill is of any importance——

MR. SPEAKER: The hon. Member seconded the Motion for the adjournment of the debate, therefore is not entitled to speak again.

MR. SEXTON said, he would move the adjournment of the House. So far as the substance of the Bill could be gathered from its title, only a very inadequate idea of the measure could be obtained. He had very much desired to understand the noble Lord; but though the noble Lord's statement was evidently offered with a wish that it should be comprehended, he (Mr. Sexton) was completely in the dark as to its meaning. ["Oh!"] Well, he congratulated hon. Members opposite upon the possession of more penetrative intellects than his. It was opposed to the interests of careful legislation that any Bill, even one of this trivial character, should be proceeded with without the House having a full appreciation of the propriety of the course it was taking.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Sexton.*)

MR. ARTHUR O'CONNOR said, the House would agree that the explanation given by the noble Lord the Financial Secretary to the Treasury was insufficient——

MR. SPEAKER: Does the hon. Member rise to second the Motion?

MR. ARTHUR O'CONNOR replied in the affirmative. The House would agree that the noble Lord's explanation was of a very "scrappy" character. He had said little more than was to be found in the Preamble of the Bill, which was totally insufficient to give the House an adequate notion of the proposal. So far as he (Mr. O'Connor) could understand it, the case was this—some land having been purchased some years ago as a site for an office, when the building was completed a portion remained unused. This land, unless he was under a wrong impression, was paid for out of the Revenues of India. The Revenues of India were not protected here; the people of India had been made to pay many millions without that protection being afforded to their Revenues and resources which was afforded to the Revenues of Great Britain. It was due to the people of India that a great deal more scrutiny and examination should be given to everything connected with the Revenues of that Empire than hitherto had been afforded. What he wished to ask was whether this proposed purchase by the Commissioners of Works would inflict a loss upon the Revenues of India—whether the sum now to be paid over to the Indian Revenue was greater than, equal to, or less than, the sum originally paid for the land now to be sold? He would also like to ask whether any attempt had been made to place this land in the open market, or whether there had been some quiet transaction between one Department and the other for the purpose of meeting departmental convenience; whether the open market had not been passed by, thereby inflicting upon the Revenues of India a considerable loss?

Lord FREDERICK CAVENDISH was glad the hon. Member took such an active interest in the affairs of India; and was pleased to be able to inform him that the arrangement was not susceptible to the charges he had made.

Mr. ARTHUR O'CONNOR: I made no charges.

Lord FREDERICK CAVENDISH said, that at the suggestion of the India Office itself the valuing of the piece of land in question had been referred to one of the most eminent and able valuers in the Kingdom. The valuer had been jointly appointed by the India Office and the Board of Works, and the sum to be paid was the sum appointed to be paid by this gentleman. If the hon. Member opposite wished to protect the Revenues of India he would support this Bill, because, from a financial point of view, he could conceive nothing worse than that the India Office should be compelled to keep this piece of land.

Mr. FINIGAN wished to know what amount of money was paid in the first instance for this piece of land; whether it was £68,000, or more, or less? A great deal would depend upon the original cost.

Lord FREDERICK CAVENDISH was afraid he could not inform the hon. Member, as this piece of land was what had been left after the building. The other part had already been utilized.

Question put.

The House *divided*:—Ayes 6; Noes 75: Majority 69.—(Div. List, No. 105.)

Original Question put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

Motion made, and Question proposed, "That this House do now adjourn."—(*The Marquess of Hartington.*)

Mr. HEALY asked to what hour to-morrow the House was adjourning. He understood that it had been usual to adjourn until 2 o'clock on Ash Wednesday instead of 12 o'clock as on other Wednesdays. The noble Lord (the Marquess of Hartington) had said nothing on the subject; and if he continued silent he (Mr. Healy) would move that the House adjourn till 2 o'clock to-morrow.

The Marquess of HARTINGTON: I stated yesterday that if the House agreed to the Motion I had to make to-day, to the effect that the state of Public Business was urgent, we would not ask the House to meet on Ash Wednesday at a later hour than usual. I propose that the House should meet at 12 o'clock to-morrow.

Motion *agreed to.*

House adjourned at a quarter
after Two o'clock.

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LONDON: CORNELIUS BUCK, 22, PATERNOSTER ROW, E.C.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CCLVIII.

SECOND VOLUME OF SESSION 1881.

Explanation of the Abbreviations.

In Bills, Read 1°, 2°, 3°, or 1^{a}, 2^{a}, 3^{a}, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st. Div.*, *2nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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The Short Service System, Question, Sir Baldwyn Leighton; Answer, Mr. Childers *Feb* 17, 1071

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Militia Adjutants, Question, Mr. Ross; Answer, Mr. Childers *Feb* 25, 1736

Volunteer Officers, Question, Mr. Macliver; Answer, Mr. Childers *Feb* 17, 1085

The Volunteer Review at Windsor, Question, Mr. Macliver; Answer, Mr. Childers *Feb* 28, 1849

Army Organization (Lord Airey's Committee)

Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty that she will be graciously pleased to direct that the Report of the Committee on Army Organization over which Lord Airey presided may be presented to the House at an early day" (*The Lord Strathnairn*) *Feb* 24, 1635; after debate, Motion withdrawn

Arnold, Mr. A., *Salford*

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(*Dr. Cameron, Mr. Orr Ewing, Mr. Ramsay, Mr. James Campbell, Mr. Mackintosh*)
c. Ordered; read 1°* *Feb* 8 [Bill 81]

Bankruptcy Law Amendment Bill [H.L.]
(*The Earl Cairns*)
l. Presented; read 1ª, after short debate *Feb* 17, 1064 (No. 34)
Read 2ª, after short debate *Feb* 28, 1836

BARNE, Colonel F. St. J. N., *Suffolk, E*
East Coast Fisheries—Employment of a Coast Guard Vessel, 1086, 1651
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BARRAN, Mr. J., *Leeds*
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BARRY, Mr. J., *Wexford Co.*
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c. Ordered ; read 1° * *Feb* 11 [Bill 85]
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(*Mr. Osborne Morgan*)
c. Read 3° * *Feb* 3 [Bill 66]
l. Royal Assent *Feb* 17 [44 *Vict.* c. 2]

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Question, Mr. R. N. Fowler ; Answer, The Marquess of Hartington *Feb* 25, 1737

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CARINGTON, Hon. R., *Bucks*
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CAVENDISH, Lord E., *Derbyshire, N.*
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Chaplin, Mr. H., *Lincolnshire, Mid.*
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c. Bill read 2° *Feb* 4, 161
Moved, "That the Bill be committed to a Select Committee of Seven Members, Four to be nominated by the House and Three to be added by the Committee of Selection:—That such of the Petitioners as shall have presented their Petitions against the Bill on or before the 8th day of February may, if they think fit, be heard before such Committee by their Counsel, and Counsel may be heard in support of the Bill against such Petitions" (*Mr. Lyulph Stanley*); Motion agreed to

Childers, Right Hon. H. C. E. (Secretary of State for War), *Pontefract*
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c. Ordered; read 1° * *Feb* 21 [Bill 91]

Moved, "That the Bill be now read 2°" *Mar* 1, 2021; Moved, "That the Debate be now adjourned" (*Mr. Healy*); Question put; A. 9, N. 78; M. 69 (D. L. 104)

Original Question again proposed; Moved, "That this House do now adjourn" (*Mr. Sexton*); after short debate, Question put; A. 6, N. 75; M. 69 (D. L. 105)

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Prison Regulations (Nenagh), Questions, Mr. T. P. O'Connor; Answers, Mr. W. E. Forster *Feb* 25, 1733; Questions, Mr. T. P. O'Connor; Answers, The Attorney General for Ireland *Feb* 28, 1861

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Ireland—Land Improvement Acts
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Ireland—The Magistracy
Amendt. on Committee of Supply *Feb* 28, To leave out from "That," and add "the refusal of Irish magistrates to accept bail for bailable offences is an abuse of the powers of the magistracy, is most unjust to accused persons, and is calculated to lower the respect for the authority of the Law in Ireland (*Mr. O'Donnell*) *v.*, 1874; Question proposed, "That the words, &c.;" after debate, Question put; A. 85, N. 18; M. 67 (D. L. 98)

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Judicial Committee Bill [H.L.]
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l. Presented; read 1ª*, and referred to the Examiners *Feb* 10 (No. 31)
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c. Ordered; read 1°* *Feb* 18 [Bill 88]
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l. Presented; read 1ª* *Feb* 24 (No. 37)
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c. Ordered; read 1° * *Feb* 28 [Bill 97]

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c. Moved, "That the Lord Advocate be a Member of the Select Committee on Married Women's Property (Scotland) Bill" *Feb* 11, 745; Moved, "That the Debate be now adjourned" (*Sir David Wedderburn*); after short debate, Motion withdrawn
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(*Mr. Hopwood, Mr. Gregory, Sir Thomas Chambers, Sir Sydney Waterlow, Mr. Lewis*)
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Private Bills
Ordered, That this House will not receive any petition for a Private Bill after Friday the 11th day of March next, unless such Private Bill shall have been approved by the Chancery Division of the High Court of Justice; nor any Petition for a Private Bill approved by the Chancery Division of the High Court of Justice after Tuesday the 10th day of May next
That this House will not receive any report from the Judges upon petitions presented to this House for Private Bills after Tuesday the 10th day of May next
Ordered, That the said orders be printed and published, and affixed on the doors of this House and Westminster Hall (No. 10) *Feb* 4
All Petitions relating to Standing Orders which shall be presented during the present Session referred to the Standing Orders Committee, unless otherwise ordered *Feb* 7

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Moved, "That this House do now adjourn" (*Mr. A. M. Sullivan*); after debate, Question put; A. 44, N. 278; M. 234 (D. L. 20)

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Parliament — Business of the House (Urgency) —cont.

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Resolution, Mr. Gladstone (interruption) *Feb* 3, 68

Rules of Debate — Divisions — Suspension of Members

Mr. Speaker having Named Mr. Dillon as wilfully disregarding the authority of the Chair, Moved, " That Mr. Dillon be suspended from the service of the House during the remainder of this day's sitting" (*Mr. Gladstone*) *Feb* 3, 69 ; Question put ; A. 395, N. 33 ; M. 362 (D. L. 21)

Mr. Speaker having Named Mr. Parnell as wilfully disregarding the authority of the Chair, Moved, "That Mr. Parnell be suspended from the service of the House during the remainder of this day's sitting" (*Mr. Gladstone*), 74 ; Question put ; A. 405, N. 7 ; M. 398

Div. List, A. and N., 74

Mr. Speaker having Named Mr. Finigan as wilfully disregarding the authority of the Chair, Moved, "That Mr. Finigan be suspended from the service of the House during the remainder of this day's sitting" (*Mr. Gladstone*), 79 ; Question put ; A. 405, N. 2 ; M. 403 (D. L. 23)

The several hon. Gentlemen mentioned below having been Named by Mr. Speaker as having wilfully disregarded the authority of the Chair, it was Moved, " That Mr. Barry, Mr. Biggar, Mr. Byrne, Mr. William Corbet, Mr. Daly, Mr. Dawson, Mr. Gill, Mr. Edmond Gray, Mr. Healy, Mr. Lalor, Mr. Leamy, Mr. Leahy, Mr. Justin M'Carthy, Mr. M'Coan, Mr. Marum, Mr. Metge, Mr. Nelson, Mr. Arthur O'Connor, Mr. T. P. O'Connor, The O'Donoghue, The O'Gorman Mahon, Mr. O'Sullivan, Mr. O'Connor Power, Mr. Redmond, Mr. Sexton, Mr. Smithwick, Mr. Alexander Sullivan, and Mr. Timothy Sullivan, be severally suspended from the service of the House for the remainder of this day's sitting" (*Mr. Gladstone*), 81 ; Question put ; A. 410, N. 6 ; M. 404 (D. L. 24)

Mr. Speaker having Named Mr. Molloy as wilfully disregarding the authority of the Chair, Moved, "That Mr. Molloy be suspended from the service of the House during the remainder of this day's sitting" (*Mr. Gladstone*), 86 ; Question put, and agreed to

Mr. Speaker having named Mr. O'Kelly as wilfully disregarding the authority of the Chair, Moved, "That Mr. O'Kelly be suspended from the service of the House during the remainder of this day's sitting" (*Mr. Gladstone*), 87 ; Question put, and agreed to

Mr. Speaker having Named Mr. O'Donnell as wilfully disregarding the authority of the Chair, Moved, "That Mr. O'Donnell be suspended from the service of the House during the remainder of this day's sitting" (*Mr. Gladstone*), 87 ; Question put ; A. 311, N. 1 ; M. 310 (D. L. 25)

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Parliament—Rules of Debate—Divisions—Suspension of Members—cont.

Mr. Speaker having Named Mr. Richard Power and Mr. O'Shaughnessy as wilfully disregarding the authority of the Chair, Moved, " That Mr. Richard Power and Mr. O'Shaughnessy be suspended from the service of the House during the remainder of this day's sitting" (*Mr. Gladstone*), 88 ; Question put, and agreed to

Business of the House (Urgency)—resumed

Moved, " That, if upon Notice given a Motion be made by a Minister of the Crown that the state of Public Business is urgent, and if on the call of the Speaker 40 Members shall support it by rising in their places, the Speaker shall forthwith put the Question, no Debate, Amendment, or Adjournment being allowed ; and if, on the voices being given he shall without doubt perceive that the Noes have it, his decision shall not be challenged, but, if otherwise, a Division may be forthwith taken, and if the Question be resolved in the affirmative by a majority of not less than three to one, the powers of the House for the Regulation of its Business upon the several stages of Bills, and upon Motions and all other matters, shall be and remain with the Speaker, until the Speaker shall declare that the state of Public Business is no longer urgent, or until the House shall so determine upon a Motion, which after Notice given may be made by any Member, put without Amendment, Adjournment, or Debate, and decided by a majority" (*Mr. Gladstone*) *Feb* 3, 88

Amendt. to leave out "a Motion be made by a Minister of the Crown that the state of Public Business is urgent," and insert " a Minister of the Crown shall declare in his place that any Bill, Motion, or other Question then before the House is urgent, and that it is of importance to the public interest that the same should be proceeded with without delay" (*Sir Stafford Northcote*) *v.* ; Question proposed, " That the words, &c. ;" after short debate, Amendt. withdrawn

Amendt. proposed, in line 2, after " urgent," insert " upon which Motion such Minister shall declare in his place that any Bill, Motion, or other Question then before the House is urgent, and that it is of importance to the public interest that the same should be proceeded with without delay" (*Secretary Sir William Harcourt*), 120 ; Question proposed, "That those words, &c. ;" after debate, Moved, "That the Debate be now adjourned" (*Mr. Healy*) ; after further debate, Question put ; A. 28, N. 371 ; M. 343 (D. L. 26) ; Question put, and agreed to ; words inserted

Amendt. proposed, in line 2, leave out "and if on the call of the Speaker 40 Members shall support it by rising in their places" (*Sir Stafford Northcote*), 151 ; Amendment agreed to ; words left out accordingly

Amendt. proposed, in line 8, after "one," insert "which majority shall consist of not less than 300 Members" (*Sir Stafford Northcote*) ; Question proposed, " That those words be there inserted ; " after short debate, Amendt. proposed to said proposed Amendt., to leave

[*cont.*

Parliament — Business of the House (Urgency) cont.

out "which majority shall consist," and insert "in a House" (*Mr. Gladstone*) *v.*; Question proposed, "That the words 'which majority shall consist' stand part of the said proposed Amendt.;" after further short debate, Question put; A. 150, N. 234; M. 84 (D. L. 27); words "in a House" inserted in proposed Amendt.

Question proposed, "That the words 'in a House of not less than 300 Members; be there inserted;" Question put, and agreed to

Amendt. proposed, in line 10, after "with the Speaker," insert "for the purpose of proceeding with such Bill, Motion, or other Question" (*Sir Stafford Northcote*), 155; Amendt. agreed to; words inserted accordingly

Main Question, as amended, put, and agreed to

Moved, "That the state of Public Business is urgent" (*Mr. Gladstone*); Question put, and agreed to

Resolved, That the state of Public Business is urgent

Business of the House (Urgency)—Motions for Adjournment—Proposed New Rule, Observations, Mr. Speaker *Feb* 4, 162

Parliament — Business of the House (Urgency)

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Additional Rules Framed by Mr. Speaker for the Regulation of the Business of the House, while the state of Public Business is Urgent —Additional Rule Regulating the Proceedings of a Committee of the Whole House upon any Bill or other Matter declared Urgent (*Mr. Speaker*) *Feb* 17, 1070

Ordered, That the said Rules be printed. [No. 73]

The New Rules, Question, Mr. Callan; Answer, Mr. Speaker *Feb* 17, 1091; Notice, Mr. Gladstone; Questions, Sir Stafford Northcote, Mr. A. M. Sullivan, Mr. A. Moore; Answers, Mr. Speaker, Mr. W. E. Forster *Feb* 17, 1092; Question, Observations, Sir Stafford Northcote; Question, Mr. W. Holms; Answers, Mr. Speaker *Feb* 18, 1236

Additional Rule Framed by Mr. Speaker for the Regulation of the Business of the House, while the state of Public Business is Urgent, in lieu of the Rules laid upon the Table on the 17th February *Feb* 18, 1343

Ordered, That the Rule be printed [No. 73]

Question, Mr. Ashton Dilke; Answer, Mr. Gladstone *Feb* 21, 1383; Questions, Mr. W. M. Torrens, Mr. Tottenham, Mr. T. D. Sullivan, Sir Stafford Northcote; Answers, Mr. Gladstone, Mr. Speaker; Question, Mr. T. P. O'Connor [No reply], 1389

[*cont.*

Parliament — Business of the House (Urgency) —cont.

Protection of Person and Property (Ireland) Bill

Moved, "That, in Committee upon the Protection of Person and Property (Ireland) Bill, this day, at 12 o'clock, the remaining Clauses of the Bill, and any Amendments and New Clauses then standing upon the Notice Paper, be put forthwith" (*Mr. Gladstone*) *Feb* 21, 1392; Question put; A. 415, N. 63; M. 352 (D. L. 62)

Moved, "That, upon the Consideration of the Protection of Person and Property (Ireland) Bill, as amended, this day, at 7 o'clock, any Amendments then standing upon the Notice Paper be put forthwith" (*The Marquess of Hartington*) *Feb* 24, 1665; Question put; A. 371, N. 53; M. 318 (D. L. 84)

Parliament—Public Business (Urgency)

Mr. Speaker: As the Protection of Person and Property (Ireland) Bill was passed on Friday last, I have now to declare, in pursuance of the Resolution of the House of the 3rd February, that the state of Public Business is no longer urgent *Feb* 28, 1841

Parliament—Business of the House—Peace Preservation (Ireland) Bill—Notice of Urgency

The Ministerial Statement, Questions, Observations, Sir Stafford Northcote; Reply, The Marquess of Hartington; short debate thereon *Mar* 1, 1957

Moved, "That the state of Public Business is urgent" (*The Marquess of Hartington*); Question put; A. 395, N. 37; M. 358 (D. L. 99)

Parliament — Committee on Public Petitions

Moved, "That it be an Instruction to the Committee on Public Petitions, that they have power in the case of Petitions from India to receive and print Petitions, which may be informal under the Rules of the House, if it shall appear to the Committee that the informality is due to inadvertence or ignorance of the Rules" (*Sir David Wedderburn*) *Feb* 15, 992; Moved, "That the Debate be now adjourned" (*Lord Randolph Churchill*); after short debate, Motion withdrawn

Original Question put, and agreed to

Parliament — Privilege — The "World" Newspaper—Reflections on Members of this House

Moved, "That the article in the 'World' newspaper of the 9th day of February, entitled 'Squaring the Irish Members,' is a breach of the Privileges of this House" (*Mr. Arthur O'Connor*) *Feb* 10, 509; after debate, Motion withdrawn

PARLIAMENT—HOUSE OF LORDS

Sat First
Feb 21—The Lord Wigan (Earl of Crawford and Balcarres), after the death of his father
The Lord Ormathwaite, after the death of his father
Feb 28—The Lord Wenlock, after the death of his father

PARLIAMENT—HOUSE OF COMMONS

New Members Sworn
Feb 2—John Edward Redmond, esquire, *New Ross*
Feb 17—Pickering Phipps, esquire, *Northampton County* (Southern Division)

New Writs Issued
Feb 8—*For* Northamptonshire (Southern Division), *v.* Fairfax William Cartwright, esquire, deceased
Feb 17—*For* Cumberland County (Eastern Division), *v.* Sir Richard Courtenay Musgrave, baronet, deceased

Parliamentary Elections (Corrupt and Illegal Practices) Bill
(*Mr. Attorney General, Sir William Harcourt, Mr. Chamberlain, Sir Charles W. Dilke, Mr. Solicitor General*)
c. 2R. deferred, after short debate *Feb* 17, 1194 [Bill 1]

Parliamentary Elections (Expenses) Bill
(*Mr. Ashton Dilke, Mr. Barran, Mr. Burt*)
c. Order for 2R. discharged; Bill withdrawn *Feb* 22, 1603 [Bill 36]
Leave given to present another Bill, instead thereof

Parliamentary Elections (Expenses and Second Election) Bill
c. Presented; read 1° * *Feb* 22 [Bill 93]

PARNELL, Mr. C. S., *Cork*
Criminal Law—Michael Davitt, The Convict, 68
Parliament—Order—Protection of Person and Property (Ireland), 8, 18, 34, 36, 39
Parliament—Business of the House (Urgency), Res. 72, 73, 77, 78
Protection of Person and Property (Ireland), Comm. *cl.* 1, 1241; *cl.* 2, 1247, 1248, 1322, 1334; *cl.* 3, 1446; *add. cl.* Amendt. 1472, 1474; Consid. *cl.* 1, Amendt. 1547, 1551, 1552, 1567, 1577, 1582

Peace Preservation (Ireland) Bill
(*Secretary Sir William Harcourt, Mr. Gladstone, Mr. William Edward Forster*)
c. Question, Sir Stafford Northcote; Answer, Lord Frederick Cavendish *Feb* 24, 1722
Motion for Leave (*Secretary Sir William Harcourt*) *Mar* 1, 1963; after long debate, Moved, "That the Debate be now adjourned" (*Mr. Sexton*); Question put; A. 21, N. 202; M. 181 (D. L. 100)

[*cont.*

Peace Preservation (*Ireland*) *Bill*—cont.
Moved, "That the Question be now put" (*The Marquess of Hartington*); Question put; A. 200, N. 22; M. 178 (D. L. 101)
Original Question put; A. 196, N. 26; M. 170 (D. L. 102)
Bill to amend the Law relating to the carrying and possession of Arms, and for the preservation of the Public Peace in Ireland, ordered; presented accordingly
Moved, "That the Bill be read 1°;" Question put; A. 188, N. 26; M. 162 (D. L. 103) [Bill 98]

PEASE, Mr. J. W., *Durham, S.*
Parliament—Order—Protection of Person and Property (Ireland), 31
Protection of Person and Property (Ireland), Comm. *cl.* 1, 1045
Railways—The Solway Bridge, 340

PEEK, Sir H. W., *Surrey, Mid.*
Education (Metropolis)—Charities of the City of London, 887
Metropolis—City of London—Re-construction of the Church of St. Margaret, Lothbury, 1221

PEEL, Mr. A. W., *Warwick Bo.*
Rivers Conservancy and Floods Prevention, 167

PENNINGTON, Mr. F., *Stockport*
Endowed Institutions (Scotland)—Grantown Female Infant School, 769

PERCY, Right Hon. Earl, *Northumberland, N.*
Parliament—Business of the House, Ministerial Statement, 1872, 1873
Parliament—Business of the House (Urgency), Res. 135

Peru and Chili
The War—Conveyance of Distressed British Subjects from Callao to Chimboti, Question, Mr. A. M'Arthur; Answer, Sir Charles W. Dilke *Feb* 3, 51
Terms of Peace—Mediation, Question, Mr. Northcote; Answer, Sir Charles W. Dilke *Feb* 28, 1856

PLAYFAIR, Right Hon. Mr. Lyon (Chairman of Committees of Ways and Means and Deputy Speaker), *Edinburgh and St. Andrew's Universities*
Cheshire Salt Districts Compensation, 2R. 161
Protection of Person and Property (Ireland), Comm. *cl.* 1, 530, 533, 549, 555, 562, 570, 571, 650, 663, 666, 668, 680, 683, 684, 690, 691, 692, 710, 711, 712, 713, 715, 716, 741, 743, 744, 782, 783, 787, 790, 792, 805, 806, 808, 815, 819, 820, 821, 825, 830, 831, 832,

[*cont.*

Playfair, Right Hon. Mr. Lyon—*cont.*
836, 838, 839, 844, 847, 849, 851, 904, 905, 916, 919, 921, 930, 949, 954, 956, 966, 967, 968, 978, 979, 983, 1005, 1006, 1011, 1012, 1020, 1021, 1026, 1027, 1028, 1029, 1033, 1036, 1038, 1041, 1043, 1044, 1046, 1047, 1050, 1051, 1053, 1054, 1055, 1057, 1058, 1059, 1096, 1097, 1099, 1107, 1108, 1110, 1111, 1112, 1125, 1145, 1146, 1153, 1154, 1158, 1162, 1167, 1170, 1171, 1175, 1176, 1182, 1186, 1187, 1189, 1193, 1238, 1239, 1240, 1241; *cl.* 2, 1248, 1250, 1257, 1258, 1270, 1273, 1274, 1276, 1280, 1300, 1307, 1309, 1310, 1314, 1315, 1322, 1325, 1326, 1329, 1333, 1334, 1340, 1341, 1342; *cl.* 3, 1409, 1425, 1428, 1434, 1436, 1437, 1442, 1444; *add. cl.* 1451, 1452, 1455, 1472

Police Superannuation—Legislation
Question, Sir Henry Selwin-Ibbetson; Answer, Sir William Harcourt *Feb* 15, 882

Poor Law
The Poor Rate—Liability of Tenant, Question, Mr. Mac Iver; Answer, Mr. Dodson *Feb* 3, 59
Vaccination—The Holborn Board of Guardians, Question, Mr. P. A. Taylor; Answer, Mr. Dodson *Feb* 3, 61

Poor Relief (Clerical Guardians) (Ireland) Bill (*Mr. Moore, Mr. P. J. Smyth, Lord Edmond Fitzmaurice, Mr. Errington, Colonel Colthurst, Mr. Molloy*)
c. Ordered; read 1º* *Feb* 3 [Bill 80]

Poor Removal (Ireland) Bill
(*Sir Hervey Bruce, Mr. Corry, Mr. Lewis*)
c. Motion for Leave (*Sir Hervey Bruce*) *Feb* 18, 1343; after short debate, Motion agreed to; Bill ordered; read 1º* [Bill 89]

Post Office
Miscellaneous Questions
Communication between the West of England and the South of Ireland, Question, Mr. Leamy; Answer, Mr. Fawcett *Feb* 9, 432
Postal Notes, Question, Sir Andrew Lusk; Answer, Mr. Fawcett *Feb* 22, 1519
Crossed Postal Notes, Question, Mr. Macliver; Answer, Mr. Fawcett *Feb* 18, 1233
Letters of Members, Question, Dr. Lyons; Answer, Mr. Fawcett *Feb* 3, 58
Postmasters' Allowances, Question, Mr. Biggar; Answer, Mr. Fawcett *Feb* 7, 249
Post Office Acts—Detention and Opening of Letters, Questions, Mr. T. D. Sullivan, Mr. Callan; Answers, Sir William Harcourt, Mr. W. E. Forster *Feb* 14, 765; Question, Mr. Gray; Answer, Sir William Harcourt *Feb* 17, 1078; Question, Mr. Labouchere; Answer, Mr. Fawcett, 1080; Question, Mr. J. Cowen; Answer, Sir William Harcourt, 1089; Question, Mr. M'Coan; Answer, Sir William Harcourt *Feb* 21, 1380

Post Office—cont.
Post Office Savings Banks—Small Investments in the Funds—Penny Stamps Deposits, Questions, Mr. Williamson, Sir Walter B. Barttelot; Answers, Mr. Fawcett *Feb* 8, 336
Post Office Savings Bank and Money Order Office, Question, Mr. R. Davies; Answer, Mr. Fawcett *Feb* 7, 252; Question, Mr. Harcourt; Answer, Mr. Fawcett *Feb* 22, 1518
Telephonic Communication in Dublin, Question, Mr. Gray; Answer, Mr. Fawcett *Feb* 14, 764
The Manchester Post Office, Question, Mr. Slagg; Answer, Mr. Fawcett *Feb* 28, 1850

Telegraph Department
Increase of Salaries, Question, Mr. Northcote; Answer, Mr. Fawcett *Feb* 10, 489; Question, Baron Henry De Worms; Answer, Mr. Fawcett *Feb* 25, 1737
Telegraph Wires, Question, Mr. Gray; Answer, Mr. Fawcett *Feb* 17, 1077
Telegraph Service—Folkestone and Tunbridge, Question, Mr. Macliver; Answer, Mr. Fawcett *Feb* 28, 1857
Western London, Question, Mr. Firth; Answer, Mr. Fawcett *Feb* 11, 624

Power, Mr. J. O'Connor, *Mayo*
Parliament—Business of the House (Urgency), Res. 81, 85

Power, Mr. R., *Waterford*
Prisons Acts—Prison Cells, 1087
Protection of Person and Property (Ireland), Comm. *cl.* 1, Amendt. 774, 914; Motion for reporting Progress, 988, 1026, 1027, 1167; *cl.* 2, 1268, 1270, 1305; Consid. *cl.* 1, 1617, 1633, 1670; 3R. 1785
Sea Fisheries (Clam and Bait Beds), 2R. 855

Presumption of Life (Scotland) Bill
(*Mr. Anderson, Mr. Baxter, Mr. Orr Ewing, Mr. Preston Bruce, Mr. James Campbell*)
c. Ordered; read 1º* *Feb* 14 [Bill 86]

Price, Captain G. E., *Devonport*
Navy—Miscellaneous Questions
Employés in Government Dockyards, 250
Engineer Officers — Greenwich Pensions, 1233
Greenwich Age Pensions, 339
H.M.S. "Atalanta," 169
Non-Commissioned Officers of the Royal Marines—Loss of Time for Pensions, 345
Royal Marine Corps—Re-organization, 345; —Increase of Pay—Long Standing of Senior Lieutenants, 1234

Prisons Acts—Prison Cells
Questions, Mr. R. Power, Mr. T. P. O'Connor; Answers, Sir William Harcourt *Feb* 17, 1087

Protection of Person and Property (Ireland) Bill
(*Mr. William Edward Forster, Mr. Gladstone, Secretary Sir William Harcourt*)
c. Moved, "That the Bill be now read 2°" *Feb* 4, 170
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Bradlaugh*); Question proposed, "That 'now,' &c.;" after long debate, Moved, "That the Debate be now adjourned" (*Sir Rowland Blennerhassett*); Motion agreed to; Debate adjourned
Debate resumed *Feb* 7, 269; after long debate, Moved, "That the Debate be now adjourned" (*Sir George Campbell*); Motion withdrawn
Question again proposed, "That 'now,' &c.," 321; after further debate, Moved, "That the Debate be now adjourned" (*Mr. Schreiber*); Motion agreed to; Debate further adjourned
Debate resumed *Feb* 8, 352; after long debate, Moved, "That the Debate be now adjourned" (*Mr. Justin M'Carthy*); after further short debate, Question put; A. 44, N. 422; M. 378 (D. L. 28)
Question again proposed, "That 'now,' &c.," 427; Moved, "That this House do now adjourn" (*Mr. Metge*); Motion withdrawn; Debate further adjourned
Debate resumed *Feb* 9, 438; after long debate, Question put; A. 359, N. 56; M. 303 (D. L. 29)
Main Question put, and agreed to; Bill read 2° [Bill 79]
Aliens, Question, Sir H. Drummond Wolff; Answer, Mr. W. E. Forster *Feb* 10, 508
Committee—R.P. *Feb* 10, 523
Committee—R.P. *Feb* 11, 635
Committee—R.P. *Feb* 14, 774
Question, Mr. Arthur O'Connor [No reply] *Feb* 15, 893
Committee—R.P. *Feb* 15, 893
Committee—R.P. *Feb* 16, 996
Committee—R.P. *Feb* 17, 1094
Committee—R.P. *Feb* 18, 1238
Committee, Notice of Motion, The Marquess of Hartington; Questions, Mr. Monk, Mr. Callan; Answers, Mr. Speaker *Feb* 18, 1344
Vote of Urgency, Moved, "That, in Committee upon the Protection of Person and Property (Ireland) Bill, this day, at 12 o'clock, the remaining Clauses of the Bill, and any Amendments and New Clauses then standing upon the Notice Paper, be put forthwith" (*Mr. Gladstone*) *Feb* 21, 1392; Question put; A. 415, N. 63; M. 352 (D. L. 62)
Committee *Feb* 21, 1392; after long time spent therein, Question put, "That the Chairman do now leave the Chair;" A. 324, N. 32; M. 292 (D. L. 69)
Moved, "That the Bill, as amended, be taken into Consideration To-morrow"
Amendt. to leave out "To-morrow," and insert "Monday next" (*Mr. Parnell*) *v.*; Question proposed, "That 'To-morrow' stand part of the Question;" after short debate, Question put; A. 287, N. 33; M. 254 (D. L. 70)
Main Question put, and agreed to [Bill 90]
[*cont.*

Protection of Person and Property (*Ireland*) *Bill*—cont.
Bill, as amended, considered *Feb* 22, 1530; after debate, further Proceeding deferred
Further Proceeding resumed *Feb* 23, 1608; after debate, it being a quarter of an hour before Six of the clock, further Consideration deferred
Vote of Urgency, Moved, "That, upon the Consideration of the Protection of Person and Property (Ireland) Bill, as amended, this day, at 7 o'clock, any Amendments then standing upon the Notice Paper be put forthwith" (*The Marquess of Hartington*) *Feb* 24, 1665; Question put; A. 371, N. 53; M. 318 (D. L. 84)
Further Proceeding resumed *Feb* 24, 1665; after debate, Moved, "That the Bill be now read 3°," 1675
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Justin M'Carthy*); Question proposed, "That 'now,' &c.;" after long debate, Moved, "That the Debate be now adjourned" (*Mr. Sexton*); Motion agreed to; Debate adjourned
Debate resumed *Feb* 25, 1754; after long debate, Question put; A. 321, N. 51; M. 270 (D. L. 94)
Main Question put; A. 303, N. 46; M. 257 (D. L. 95)
Moved, "That this Bill do pass;" after short debate, Moved, "That the Question be now put" (*The Marquess of Hartington*); Question put; A. 282, N. 32; M. 250 (D. L. 96)
Question put, "That this Bill do pass;" A. 281, N. 36; M. 245 (D. L. 97)
l. Brought from the Commons; read 1ª (*The Lord President*) *Feb* 28, 1835 (No. 40)
Question, The Earl of Redesdale; Answer, Earl Spencer
Read 2ª; Committee negatived, after debate *Mar* 1, 1917

Public Health
Miscellaneous Questions
Metropolis—Small-Pox, Question, Mr. J. G. Talbot; Answer, Mr. Dodson *Feb* 10, 494; Question, Mr. W. M. Torrens; Answer, Mr. Dodson, 507
Mortality at Ashton-under-Lyne, Question, Mr. Hugh Mason; Answer, Mr. Hibbert *Feb* 24, 1658
Noxious Gases—Legislation, Question, Observations, Viscount Midleton; Reply, The Marquess of Huntly *Feb* 4, 157
Trichinosis—Importation of Pork from the United States, Question, Mr. R. H. Paget; Answer, Mr. Chamberlain *Feb* 17, 1072; Question, Mr. Dixon-Hartland; Answer, Mr. Mundella *Mar* 1, 1941

Pugh, Mr. L. P., *Cardiganshire*
Committee on Public Petitions, Instruction to the Committee, 993
India—Medical Department, 268
India—Afghanistan—Allowances and Pensions, 1643
Ordnance Survey, 1518
Protection of Person and Property (Ireland), Comm. *cl.* 1, Amendt. 523, 944

Railways
MISCELLANEOUS QUESTIONS
London and South Western Railway — The Station at Guildford, Question, Mr. Onslow; Answer, Mr. Chamberlain *Feb* 28, 1847
Railway Companies — Reports and Returns, Question, General Sir George Balfour; Answer, Mr. Chamberlain *Feb* 24, 1644
Railway Passengers' Communication — The Cord System, Question, Mr. Armitage; Answer, Mr. Chamberlain *Feb* 22, 1519
The Solway Bridge, Question, Mr. J. W. Pease; Answer, Mr. Chamberlain *Feb* 8, 340
The Railway Commissioners — Legislation, Question, Mr. R. Biddulph Martin; Answer, Mr. Chamberlain *Feb* 24, 1657

Railways — The Railway Commission of 1873—*Charges for Carriage on Railways and Canals*
Moved, "That a Select Committee be appointed to inquire into the charges of Railway Companies for the conveyance of merchandise, minerals, agricultural produce, and parcels on Railways and Canals, into the Laws and other conditions affecting such charges, and into the working of the Railway Commission of 1873; and to report as to any amendment of the Laws and practice affecting the said charges and the powers of the said Commission that may be desirable" (*Mr. B. Samuelson*) *Feb* 15, 991
Amendt. proposed, in line 2, after "Companies," insert "and Canal Companies, and Railway and Canal Companies" (*Mr. Monk*); Question proposed, "That those words be there inserted;" Question put, and agreed to
Main Question, as amended, put, and agreed to

RAMSAY, Mr. J., *Falkirk, &c.*
Peace Preservation (Ireland), Motion for Leave, 1993

RATHBONE, Mr. W., *Carnarvonshire*
Education Department—Reading-Books in Board Schools, 1858

REDESDALE, Earl of (Chairman of Committees)
Protection of Person and Property (Ireland), 1R. 1835
Rivers Conservancy and Floods Prevention, 1834

REDMOND, Mr. J. E., *New Ross*
Criminal Law (Ireland)—Alleged Detention of Witnesses, 884, 886, 1228
India Office (Sale of Superfluous Land), 2R. 2022
Ireland, State of—New Ross, 262
Law and Justice—Bills of Sale, 1606
Parliament—Business of the House (Urgency), Res. 85
Protection of Person and Property (Ireland), 2R. 277; Comm. *cl.* 1, 698, 821; *cl.* 2, 1326; Consid. *cl.* 1, Amendt. 1670, 1674

REED, Sir C., *St. Ives*
Museum of Natural History, South Kensington—The Public Collections, 761

RENDLESHAM, Lord, *Suffolk E.*
Employers' Liability Act, 1880, 1651

RICHARD, Mr. H., *Merthyr Tydvil*
Africa, South—Basutos, 891
Channel Islands—Burials Act, 1880, in Guernsey, 1386
Parliament—Business of the House, Ministerial Statement, 1870

RICHMOND AND GORDON, Duke of
Army Organization (Lord Airey's Committee), Motion for an Address, 1641, 1642

RITCHIE, Mr. C. T., *Tower Hamlets*
Africa, South—Basuto War (Negotiations), 1741
Parliament—Miscellaneous Questions
  Business of the House, 1530;—Ministerial Statement, 1753
  Order— Protection of Person and Property (Ireland), 23
Protection of Person and Property (Ireland), 2R. 371; Comm. *cl.* 1, 1050
Sugar—Foreign Bounties—French Mercantile Marine, 251
Thames River, 1874

Rivers Conservancy and Floods Prevention Bill [H.L.] (*The Lord President*)
l. Questions, The Earl of Camperdown, The Duke of Somerset; Answers, Earl Spencer *Feb* 3, 43
Order for Committee read, and discharged *Feb* 7, 235
Moved, "That the Bill be referred to a Select Committee;" after short debate, on Question? agreed to
Committee nominated *Feb* 8; List of the Committee, 235
Report of Select Comm. * *Feb* 25 [No. 38]
Committee *; Report *Feb* 25 (Nos. 15-39)
Question, Earl Spencer; Answer, The Earl of Redesdale *Feb* 28, 1834

Rivers Conservancy and Floods Prevention Bill
Question, Mr. Arthur Peel; Answer, Mr. Dodson *Feb* 4, 167

Rivers Pollution Prevention Act, 1876—*Legislation*
Question, Mr. Birkbeck; Answer, Mr. Dodson *Feb* 8, 350

RODWELL, Mr. B. B. H., *Cambridgeshire*
Protection of Person and Property (Ireland), 2R. 291, 293

Rogers, Mr. J. E. Thorold, *Southwark*
Oxford and Cambridge Examinations, 1655
Parliament—Business of the House (Urgency), Res. 125
Protection of Person and Property (Ireland), Comm. *cl.* 2, 1287

Rosebery, Earl of
Sunday Opening of National Museums and Galleries, 1503

Ross, Major A. H., *Maidstone*
Army (Auxiliary Forces) — Militia Forces, 1736
Weights and Measures Act, 1878—Section 45, 627

Rotherham and Bawtry Railway Bill (by Order)
c. Read 3°, after short debate *Feb* 18, 1220

Roundell, Mr. C. S., *Grantham*
Endowed Schools and Hospitals — Dulwich College—New Scheme, 56

Russell, Mr. C., *Dundalk*
Magistracy (Ireland), Res. 1886, 1903, 1906
Protection of Person and Property (Ireland), Comm. *cl.* 2, 1252

Rylands, Mr. P., *Burnley*
Africa, South—The Transvaal—Insurrection of the Boers—Proclamation of the Dutch Triumvirate, 346
Cyprus—Temuat Tax, 1079
Protection of Person and Property (Ireland), Comm. *cl.* 1, 535, 654, 928, 1028, 1104; *cl.* 2, 1246, 1247; *cl.* 3, 1418
Supreme Court of Judicature Act, 1873—Offices of the Lord Chief Justice of the Common Pleas, &c. 351

St. Albans, Duke of
Highway Act, 1878—Re-appointment of Committee, 160

Sale of Food and Drugs Act—Poisoning of Horses with Arsenic in Lincolnshire
Question, Mr. Chaplin; Answer, Sir William Harcourt *Feb* 10, 501

Samuelson, Mr. B., *Banbury*
Railways—The Railway Commission of 1873—Charges for Carriage on Railways and Canals, Motion for a Select Committee, 991

Samuelson, Mr. H. B., *Frome*
Protection of Person and Property (Ireland), Comm. *cl.* 1, 950, 1172, 1190

Sandon, Right Hon. Viscount, *Liverpool*
France — French Mercantile Marine Bill — Bounties to French Shipping, 162

Schreiber, Mr. C., *Poole*
Ireland, State of—John Devoy, 1950
Protection of Person and Property (Ireland), 2R. Motion for Adjournment, 329, 353

Science and Art
Miscellaneous Questions
International Exhibition of Electrical Apparatus, Question, Sir Henry Tyler; Answer, Lord Frederick Cavendish *Mar* 1, 1944
Museum of Natural History, South Kensington—The Public Collections, Question, Sir Charles Reed; Answer, Mr. Shaw Lefevre *Feb* 14, 761
Museum of Practical Geology, Jermyn Street, Question, The Duke of Somerset; Answer, Earl Spencer *Feb* 28, 1837
The National Gallery—Hours of Admission, Question, Mr. D. Grant; Answer, Mr. Shaw Lefevre *Feb* 23, 1604

Sclater-Booth, Right Hon. G., *Hants, N.*
Parliament—Business of the House, Ministerial Statement, 1746
Protection of Person and Property (Ireland), Comm. *cl.* 1, 1096

Scotland
Miscellaneous Questions
Criminal Law—Case of Mistaken Identity, Question, Mr. Macdonald; Answer, The Lord Advocate *Mar* 1, 1942
Endowed Institutions (Scotland) Act, 1878—Grantown Female Infant School, Question, Mr. Henderson; Answer, Sir William Harcourt *Feb* 8, 348; Questions, Mr. Thomasson, Mr. Pennington, Mr. Henderson; Answers, Mr. Mundella, The Lord Advocate, Sir William Harcourt *Feb* 14, 768
Local Taxation, Question, General Sir George Balfour; Answer, The Lord Advocate *Feb* 25, 1754
Medical Relief, Question, Captain Maxwell-Heron; Answer, Lord Frederick Cavendish *Mar* 1, 1949
Teinds or Tithes — Legislation, Question, Colonel Alexander; Answer, The Lord Advocate *Feb* 14, 766
The General Register House, Edinburgh—Reorganization, Question, Mr. Fraser Mackintosh; Answer, The Lord Advocate *Feb* 3, 57; Question, Mr. James Campbell; Answer, The Lord Advocate *Feb* 15, 886;—*The Indices*, Question, Sir R. Assheton Cross; Answer, The Lord Advocate *Feb* 8, 349
The Herring Trade, Question, Mr. A. Grant; Answer, Lord Frederick Cavendish *Feb* 28, 1863

Sea Fisheries (Clam and Bait Beds) Bill
(*Mr. Chamberlain, Mr. Ashley*)
c. Ordered; read 1°* *Feb* 9 [Bill 83]
Moved, "That the Bill be now read 2°" *Feb* 14, 855; Question put; A. 97, N. 5; M. 92 (D. L. 43); Bill read 2°
Order for Committee read *Feb* 21, 1475
Moved, That it be an Instruction to the Committee, That they have power to protect beds within territorial waters where herrings are known to spawn" (*Mr. Williamson*)
Amendt. to add "and also fishing banks" (*Mr. Webster*); Question, "That those words be there added," put, and agreed to

[*cont.*

Sea Fisheries (Clam and Bait Beds) Bill—cont.
  Main Question, as amended, put, and agreed to
  Moved, "That Mr. Speaker do now leave the Chair" (*Mr. Chamberlain*); Motion agreed to; Committee
  Moved, "That the Chairman do report Progress, and ask leave to sit again" (*Mr. Chamberlain*); Question put, and agreed to; Committee—R.P.

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l. Read 2ª* *Feb* 8 (No. 6)
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  Read 3ª* *Feb* 18
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l. Read 2ª* *Feb* 8 (No. 8)
  Committee; Report; after short debate *Feb* 18, 1219
  Read 3ª* *Feb* 25 (No. 36)

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  India Office Auditor [Superannuation], 1195
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Sunday Opening of National Museums and Galleries
  Moved to resolve, "That inasmuch as all opposition to the action of Her Majesty's Government in opening on Sundays the National Museums and Galleries in the suburban districts of London and in Dublin has entirely ceased owing to the good results which have followed such opening, this House is of opinion that the time has now arrived for extending this action to all institutions of a like character, it having been most conclusively shown that large numbers of the people rejoice at every opportunity

[*cont.*

Sunday Opening of National Museums and Galleries—cont.
that is afforded them of spending Sunday intelligently, and with due regard for its preservation as a day of rest and cessation from ordinary work and amusement" (*The Earl of Dunraven*) *Feb* 22, 1478
Amendt. to leave out from ("inasmuch as") in line one and add ("a Select Committee of the House of Commons on Public Institutions having reported on the 27th of March 1860, 'that such Institutions as the British Museum and the National Gallery should be opened on week day evenings to the public between the hours of seven and ten in the evening at least three days in the week,' this House is of opinion that the time has arrived when this recommendation should be carried out") (*The Earl of Shaftesbury*); after debate, on question, that the words proposed to be left out stand part of the motion? Cont. 34, Not-Cont. 41; M. 7
Resolved in the negative
List of Cont. and Not-Cont., 1516
Then it was moved to add the following words ("a Select Committee of the House of Commons on Public Institutions having reported on the 27th of March 1860, 'that such Institutions as the British Museum and the National Gallery should be opened on week day evenings to the public between the hours of seven and ten in the evening at least three days in the week,' this House is of opinion that the time has arrived when this recommendation should be carried out")
Resolved in the affirmative; and Motion, as amended, agreed to

SUPPLY
Considered in Committee *Feb* 28; Committee report Progress; to sit again upon Wednesday

Supreme Court of Judicature Act, 1873—*Section* 30—*Sittings in London and Middlesex*
Question, Mr. H. H. Fowler; Answer, The Attorney General *Feb* 24, 1647

Supreme Court of Judicature Act, 1873—*The Order in Council—Offices of the Lord Chief Justice of the Common Pleas and Lord Chief Baron*
Question, Mr. Rylands; Answer, Mr. Gladstone *Feb* 8, 351
Moved, "That an humble Address be presented to Her Majesty that the Order in Council, a copy of which was laid on the Table of the House on 6th January 1881, for reducing the number of Divisions of Her Majesty's High Court of Justice and for abolishing the titles of Lord Chief Justice of the Common Pleas and Lord Chief Baron and reducing their offices to an equality with the offices of the other Judges who are not ex officio Judges of Her Majesty's Court of Appeal, may not come into operation" (*The Lord Denman*) *Feb* 10, 476; after short debate, Motion withdrawn
[*cont.*

Supreme Court of Judicature Act, 1873—*The Order in Council—Offices of the Lord Chief Justice of the Common Pleas and Lord Chief Baron*—cont.
Moved, "That an humble Address be presented to Her Majesty that the Order in Council, a copy of which was laid on the Table of the House on 6th January 1881, for reducing the number of Divisions of Her Majesty's High Court of Justice and for abolishing the titles of Lord Chief Justice of the Common Pleas and Lord Chief Baron and reducing their offices to an equality with the offices of the other Judges who are not ex officio Judges of Her Majesty's Court of Appeal, may not come into operation" (*The Lord Denman*) *Feb* 25, 1725
Moved, "That this House do now adjourn to Monday next" (*The Lord Chancellor*); on question, resolved in the affirmative
Moved, "That an humble Address be presented to Her Majesty, praying that so much of the Order in Council, dated the 16th day of December 1880, made in pursuance of section 32 of 'The Judicature Act, 1873,' as relates to the abolition of the offices of Lord Chief Justice of the Common Pleas and Lord Chief Baron of the Exchequer may not come into operation" (*Mr. Henry H. Fowler*) *Feb* 10, 572; after debate, Question put, A. 110, N. 178; M. 68
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Question, Mr. B. T. Williams; Answer, The Attorney General *Feb* 24, 1646

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(*Sir Eardley Wilmot, Mr. Samuel Morley, Mr. Firth*)
c. Ordered; read 1°* *Feb* 23 [Bill 94]

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BIBL. LONDIN. UNIV.

LONDON: CORNELIUS BUCK, 22, PATERNOSTER ROW, E.C.